

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States nominating Edward T. Franks, of Kentucky, to be a member of the Federal Board for Vocational Education (reappointment), which was referred to the Committee on Education and Labor.

The VICE PRESIDENT. Are there reports of committees? If there are no reports of committees, the calendar is in order.

THE JUDICIARY

The legislative clerk announced the nomination of Raymond U. Smith to be United States attorney, district of New Hampshire.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The legislative clerk announced the nomination of Olaf Eidem to be United States attorney, district of South Dakota.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The legislative clerk announced the nomination of Chester N. Leedom to be United States marshal, district of South Dakota.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The legislative clerk proceeded to announce the nominations of sundry postmasters.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc, and the President will be notified.

The Senate will resume the consideration of legislative business.

REVISION OF THE TARIFF—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes.

Mr. LA FOLLETTE obtained the floor.

RECESS

Mr. McNARY. Mr. President, I move that the Senate take a recess until 12 o'clock to-morrow.

The VICE PRESIDENT. Does the Senator from Wisconsin yield for that purpose?

Mr. LA FOLLETTE. I yield for that purpose.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, June 11, 1930, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate June 10 (legislative day of June 9), 1930

MEMBER OF THE FEDERAL BOARD FOR VOCATIONAL EDUCATION

Edward T. Franks, of Kentucky, to be a member of the Federal Board for Vocational Education for a term of three years from July 17, 1930. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate June 10 (legislative day of June 9), 1930

UNITED STATES ATTORNEYS

Raymond U. Smith, district of New Hampshire.
Olaf Eidem, district of South Dakota.

UNITED STATES MARSHAL

Chester N. Leedom, district of South Dakota.

POSTMASTERS

GEORGIA

William B. Allen, Talbotton.

LOUISIANA

Mary K. Roark, Marion.
Agnes Champagne, Raceland.
William T. Norman, Winnfield.

MAINE

Charles E. Davis, Eastport.

NEW JERSEY

Nicholas T. Ballentine, Peapack.
Ross E. Mattis, Riverton.
Jennie Madden, Tuckahoe.

NORTH CAROLINA

George E. Brantley, Mooresville.

PENNSYLVANIA

John R. Jones, Conway.
Joseph M. Hathaway, Rices Landing.
Dan W. Weller, Somerset.

SOUTH CAROLINA

Charles L. Potter, Cowpens.

VIRGINIA

Edward M. Blake, Kilmarnock.

WISCONSIN

Lloyd A. Hendrickson, Blanchardville.
Burton E. McCoy, Prairie du Sac.

IN THE HOUSE OF REPRESENTATIVES

TUESDAY, June 10, 1930

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Father of mercies, for life and all it means to us we render Thee our humble thanks. Unfold unto us such truth that may give us a wise impulse in the right way. May it spring up, multiply, and bring forth fruit a hundredfold in every heart. O what bounty there is in Thy mercy and what rapture in Thy approval! If we have failed, bring us back to eager ambition for things right and high. Turn back the tides of ignorance and do away with the vices and the crimes that afflict men. Everywhere let intelligence, virtue, and self-control prevail. In disputation may self never break up and give way. Go before us through tumult, through clouds of doubt and creeds of fear, and let the light, calm and clear, break in. Amen.

The Journal of the proceedings of yesterday was read and approved.

ADDRESS OF HON. ANTHONY J. GRIFFIN, OF NEW YORK

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GRIFFIN] may have leave to extend his remarks in the RECORD by inserting a speech which he made last Saturday.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, under the leave to extend my remarks I include my address to the graduates and the alumni of the Cooper Union at the Masonic Hall, New York City, on Saturday, June 7, 1930. The address is:

THE CONSENT OF THE GOVERNED

Mr. President, Doctor Cutting, and fellow alumni, it gives me great pleasure to greet the graduates and the alumni of the Cooper Union. Dedicated to the teaching of "Whatsoever things are true"—a maxim selected from the Scriptures by its noble founder—it was to be expected that this great institution of learning should concentrate on science.

For science is truth arrayed in order. When we speak of science we must keep in mind that it is broad; it is expansive; it is deep. It takes in all the realms of human activity. It is literature; it is art; it is poetry. It takes the eye of man into the depths of the earth and extends his vision to the remotest reaches of the universe.

The training in clear and logical thinking incident to such a course as this institution gives can not help but be useful in any profession, as well as being a valuable asset in carrying on the duties of citizenship. I urge you not to become so much absorbed in the routine of your private vocations as to forget the obligations you owe to your city, to your State, and to the Nation.

Remember this country is essentially and fundamentally a democracy, or at least founded on democratic ideals, and for a democracy to succeed its citizenry must have the instinct of order coupled with knowledge.

EVOLUTION OF DEMOCRACY

The Declaration of Independence fixed for us the principles of true democracy. Those principles are the real foundation of our Republic. It was broad and sufficient for the erection and expansion of a great structure of democratic government. We must not evade the truth that we have not built on all its principles. Like a vast cathedral, the processes

of construction have been slow and gradual, and even after 150 years the structure is still expanding.

Our Declaration of Independence expressed the mind of the Colonies in revolt. By the time our Constitution was written a reaction had set in. The ancient fear of democracies had time to revive and the idea of intrusting the so-called common people with a share of the responsibility of government seemed radical and unsafe. Although the Declaration of Independence declares that "all men are created equal," the old colonial laws making them unequal remained in force for many years. No sooner had Jefferson committed those pregnant words to paper than a host of political reactionaries, entirely misapprehending their purport, undertook to assail the principle involved in them. But utterly without justification. The meaning of the term is explained by the context of the instrument itself. The whole sentence in which this moot question is to be found reads as follows: "We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness." In other words, the import of this is that they are equal in the eyes of the law; equally entitled to its protection so long as they behave and equally subject to punishment under the law when they misbehave.

CONSENT OF THE GOVERNED

But the Declaration of Independence goes further in defining the rights of citizenship. It says "to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

What else does "consent of the governed" mean than that the citizens shall be consulted not only in the selection of their governors but in the framing of the laws by which the country shall be governed?

It is in the application of this great fundamental principle of the Declaration of Independence that we strike the first snag and observe the strange inconsistency that the very people who were to be governed were deprived of the right of franchise. In every one of the 13 Colonies there were property qualifications and other restraints and limitations of their rights of suffrage. It was not until 1824 that manhood suffrage was generally established. In the presidential election of 1824 the popular vote was only 356,038. In 1828, when General Jackson was elected, the popular vote was 1,155,350. But even then and many years after manhood suffrage was confined only to the white race. The extension of the principle to the colored race was beaten out into a doctrine by the great Civil War, which brought about the fourteenth and fifteenth amendments.

SUFFRAGE NOT UNIVERSAL

Even then the principle of suffrage was not universal. The franchise was not given to women until the nineteenth amendment was adopted within recent memory. Thus you see how fundamental principles and their application to the structure of government are evolutionary rather than revolutionary and make progress slowly in gradual stages.

ADOPTION OF TREATIES

As a further example of this, let us take the method of adoption of treaties. The Constitution itself provides that treaties are the law of the land. That being so, when we observe that the founders of the Constitution took great pains to create a legislative branch of the Government we naturally ask why it was that in the making of treaties they should have deprived the popular branch of the Congress of this important prerogative.

Under the Constitution treaties are required to be made by the President with the consent of the Senate. It would have been just as easy to have added the words "and the House of Representatives." This discrimination must be attributed to the common inertia that has characterized statesmen in all ages. They have ever been reluctant to step forward. Being mostly lawyers, they are overpowered by precedents and hampered by reverence for old forms and practices. They could not drive out of their minds the illusion that treaties should be made between potentates and not between peoples. They clung fast and long to this ancient practice and felt that it was indispensable, even though it was so obviously inconsistent with the principles upon which the new Republic was founded.

THE GOVERNED SHOULD DEMAND THAT THEIR CONSENT TO TREATIES SHOULD BE REQUIRED

This divergence between principle and practice has always struck me as being not only inconsistent but actually dangerous to the stability and security of the Nation. Having that notion as far back as 1918, I introduced a constitutional amendment giving to the House of Representatives an equal say in the ratification of treaties. There is no earthly reason to be found in the history, in the traditions, or in the policy of this Nation which should prevent the adoption of the amendment. Yet, it makes no progress and will perhaps make no progress until the public opinion of the country is aroused to the importance of making a practical application of the principle involved in the term "consent of the governed."

DIRECT VOTE OF PEOPLE FOR CONSTITUTIONAL AMENDMENTS

Another example of the failure to reach the acme of popular government envisioned by the patriots who framed the Declaration of Independence is the roundabout, awkward, and unsatisfactory method of adopting amendments to the Constitution. Here, if anywhere in our system of government, is a broad invitation to submit constitutional amendments to the direct vote of the people.

This is another proposal that I have been working at for the past 12 years. I introduced a proposed amendment to the Constitution providing that all constitutional amendments should be submitted to a direct vote of the people. If that were the law to-day, we would have no occasion for "Literary Digest polls"!

Reverence for old forms and traditions, coupled with an inherent mistrust of popular opinion, has blocked the progress of this resolution. But we may be nearer to its adoption than our pessimism will permit us to think.

I believe there is a rising tendency, as truly American as it is democratic, which will demand that the promises and the ideals of the Declaration of Independence shall be given their fullest application. If a people are not fit to be intrusted with the referendum, they are not entitled to citizenship. To deny the American people the right to participate in the making of their laws is to flout their intelligence and reflect on the wisdom of the founders of our Government.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that, following the disposition of the present special orders that have been made, I may be permitted to speak to the House for five minutes only.

The SPEAKER. The gentleman from Nebraska asks unanimous consent that, following the special orders respecting the gentleman from New York [Mr. FISH] and the gentleman from Missouri [Mr. HOPKINS], he may address the House for five minutes. Is there objection?

Mr. TILSON. Mr. Speaker, reserving the right to object, were not these requests for time contingent?

Mr. HOWARD. For the information of the gentleman from Connecticut, I will say that I predicated my request upon the assertion of the gentleman that they were going ahead with them, else I had not made it.

Mr. TILSON. The gentleman's request is contingent upon the disposition of the other requests?

Mr. HOWARD. Yes.

The SPEAKER. On examination the Chair finds that the first two requests were not contingent, but the request of the gentleman from Missouri [Mr. DYER] in behalf of the gentleman from Missouri [Mr. HOPKINS] was contingent.

Mr. GARNER. I recall reading from the RECORD that the gentleman from New York [Mr. LaGUARDIA] waived his right if we were to spend the entire day on the Consent Calendar.

Mr. LaGUARDIA. That was the other day.

Mr. GARNER. I thought it was for this morning, reading the RECORD of this morning.

Mr. LaGUARDIA. When the gentleman from Michigan suggested that I might have time, I said mine was not contingent. The RECORD is wrong in that respect.

The SPEAKER. The RECORD does not show that there was any condition attached to the request either of the gentleman from New York [Mr. LaGUARDIA] or the request of the gentleman from New York [Mr. FISH].

Mr. LaGUARDIA. Mr. Speaker, if it would facilitate matters I would be glad to change my request and make it 4.45 o'clock.

Mr. CRAMTON. Make it 5.

Mr. STAFFORD. There might be a point of no quorum made before that.

Mr. CHINDBLOM. Mr. Speaker, how was this unanimous-consent request matter ended?

The SPEAKER. It is entirely at the option of the gentlemen concerned.

Mr. TILSON. Does the Speaker rule that so far as the requests of the gentlemen from New York and Missouri are concerned they were not contingent upon the Consent Calendar being considered?

The SPEAKER. The request of the gentleman from Missouri was contingent, but the requests of the two gentlemen from New York were not contingent.

Mr. DYER. Mr. Speaker, I ask unanimous consent to vacate the first order with reference to the gentleman from Missouri [Mr. HOPKINS]. We hope he may have time by consent later.

The SPEAKER. Is there objection?

Mr. DYER. To be vacated as to to-day, and that he be given 15 minutes to address the House on Thursday.

The SPEAKER. The gentleman from Missouri [Mr. DYER] asks that, following the address of the gentleman from New York, the gentleman from Missouri [Mr. HOPKINS] may be permitted to address the House on Thursday.

Mr. DYER. Yes; that the special order be vacated for to-day and that the gentleman be permitted to address the House on Thursday.

The SPEAKER. The gentleman from Missouri asks unanimous consent that his colleague from Missouri [Mr. HOPKINS] be permitted to address the House on Thursday at the conclusion of the business on the Speaker's table.

Mr. CHINDBLOM. Reserving the right to object, Mr. Speaker—and I shall not object—I would like to inquire if it is not possible to let all these special orders go over until Thursday? We have this Consent Calendar to-day, and I do not know when we shall get it up again.

Mr. LA GUARDIA. I assure my colleague from Illinois that I would gain 30 minutes. I desire to go on.

The SPEAKER. Does the Chair understand that the gentleman does not desire to go on immediately?

Mr. LA GUARDIA. No; I do desire to go on immediately.

The SPEAKER. How about the requests of the gentleman from New York [Mr. FISH]?

Mr. TILSON. He is not present.

Mr. DYER. Mr. Speaker, I renew my request that the special order for my colleague from Missouri [Mr. HOPKINS] be vacated and that he be given 15 minutes to address the House on Thursday.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOWARD. Mr. Speaker, what became of my request?

The SPEAKER. Inasmuch as the gentleman from Missouri [Mr. HOPKINS] will not address the House to-day, it will be necessary for the gentleman from Nebraska [Mr. HOWARD] to prefer another request.

Mr. HOWARD. Mr. Speaker, I understood the gentleman from New York [Mr. LA GUARDIA] was to go ahead.

Mr. LA GUARDIA. Yes.

Mr. HOWARD. I am asking that I may follow the gentleman from New York.

The SPEAKER. There is another special order.

The gentleman from Nebraska [Mr. HOWARD] asks unanimous consent that at the conclusion of the address of the gentleman from New York [Mr. FISH] he may address the House for five minutes. Is there objection?

Mr. DYER. Mr. Speaker, I think it would be unfair to my colleague [Mr. HOPKINS], after having been yielded time, to yield now to others. I ask the gentleman from Nebraska [Mr. HOWARD] if he will not ask for permission to address the House on Thursday?

Mr. HOWARD. It is an emergency matter.

Mr. DYER. I do not object.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

GEORGE W. POSEY

Mr. HALL of North Dakota. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1086) for the relief of George W. Posey, with a Senate amendment, and concur in the Senate amendment.

Mr. TILSON. Mr. Speaker, what is the status of this bill?

The SPEAKER. It is a House bill with a Senate amendment. The gentleman from North Dakota asks unanimous consent to take from the Speaker's table the bill H. R. 1086, with a Senate amendment, and concur in the Senate amendment.

The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, after "States," insert "as a private of Company A, Twentieth Regiment Wisconsin Volunteer Infantry, on the 24th day of August, 1862, and as a private of Company B, Thirty-fifth Regiment Wisconsin Volunteer Infantry."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

REIMBURSEMENT FOR FLOOD-CONTROL WORK

Mr. RAGON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8479) to amend section 7 of Public Act No. 391, Seventieth Congress, approved May 15, 1928, with Senate amendments, and concur in the Senate amendments.

The SPEAKER. The gentleman from Arkansas [Mr. RAGON] asks unanimous consent to take from the Speaker's table the bill H. R. 8479, with Senate amendments, and concur in the Senate amendments.

The Clerk will report the bill and the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 1, after "expenditures," insert "heretofore incurred or made."

Page 2, line 4, after "by," insert "the flood of 1927 or subsequent."

Page 2, line 8, after "tributaries," insert "or outlets."

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, the title did not tell us what the bill is about. Will the gentleman make a little statement about it?

Mr. RAGON. Yes. It is a House bill with Senate amendments.

Mr. CRAMTON. But what is it about?

Mr. RAGON. It is to reimburse parties who went ahead and built flood works before the flood control act of May 15, 1928, was passed.

Mr. CRAMTON. How much more does the Senate amendment cost?

Mr. RAGON. It does not cost as much. It is merely to confine the language.

Mr. TILSON. Mr. Speaker, the gentleman from Illinois [Mr. REID] spoke to me in regard to this matter to the effect that it is entirely satisfactory to him and to his committee.

Mr. CHINDBLOM. Mr. Speaker, I will say I have the same information, and I raised the question the last time the bill was considered.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Senate amendments were agreed to.

PERMISSION TO ADDRESS THE HOUSE

Mr. LOZIER. Mr. Speaker, I ask unanimous consent that after the conclusion of the remarks of the gentleman from Missouri [Mr. HOPKINS], on Thursday next, I be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. LOZIER]?

There was no objection.

TRAINING IN LAW OBSERVANCE

Mr. RAMSEYER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a thoughtful and instructive address by the Hon. George W. Wickersham, chairman of the National Commission of Law Observance and Enforcement, before the National Conference of Social Workers at Boston, on yesterday, on the subject of Training in Law Observance.

The SPEAKER. The gentleman from Iowa [Mr. RAMSEYER] asks unanimous consent to extend his remarks by printing an address delivered by Mr. George W. Wickersham on yesterday. Is there objection?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, is that the speech in which Mr. Wickersham stated that prohibition should be brought about by education and not by the cruel application of vicious laws?

Mr. RAMSEYER. He did not state that, but it is an informative and instructive address which deserves a place in the CONGRESSIONAL RECORD.

Mr. LA GUARDIA. But in substance he said that?

Mr. RAMSEYER. No; not in substance. He did not say that in substance.

Mr. LA GUARDIA. The article will speak for itself.

Mr. RAMSEYER. That is it.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. RAMSEYER]?

There was no objection.

Mr. RAMSEYER. Mr. Speaker, under leave to extend my remarks I present for printing in the RECORD an address delivered by the Hon. George W. Wickersham, chairman of the National Commission on Law Observance and Enforcement, before the National Conference of Social Work, at Boston, Mass., June 9, 1930. The address follows:

LAW ENFORCEMENT

Even a cursory inspection of the program of this conference is a liberal education for those who have not previously participated in such gatherings nor made it their business to study the great varieties of social-welfare activities now being carried on in this country.

What a rich feast is here spread out for those who are interested in the modern development of applied Christianity!

Who can fail to see in this program the repudiation of the cry of Cain, "Am I my brother's keeper?"

The list of subjects enumerated for discussion during the conference in itself testifies eloquently to the widespread recognition of the mutual responsibility of all members of society for the welfare of the whole.

It is not so long ago since such a meeting as this would have been called a conference of charity workers. The change to "social workers" has deep significance. It imports a recognition of the integration of society in the largest sense.

Wordsworth said (in the Prelude):

"There is one great society alone on earth:
The noble living and the noble dead."

It is the society of the noble living we must think of as we read this list of the subjects of welfare work and the names of those whose lives have blessed the cause of working for the betterment of humanity in various fields which fill the pages of this program.

As one's eye follows the items on these pages he must wonder if there is any phase of human need that is not being attended to, any cry of human suffering that is not answered. Alas! sorrow and sin and shame and misfortune are common, despite the benevolence of the fortunate and the self-sacrificing devotion of those who, like Abou Ben Adhem, would be written of as those who love their fellow men.

Doctor Van Waters, in her address to the last national conference of social work, said:

"The subject matter of social work is the social, moral, and spiritual nature of man. It is not the form of the family we wish to conserve, but the spirit and substance."

And Mr. William Hodson, at the same conference, explained that the strength of the American Association of Social Workers is not measured by total numbers, nor by the growing solidarity of interest through professional organization. "It lies rather in the gradual acceptance of the social worker by the community as one skilled in the art of adjusting human relations, and the recognition that there is inherent in that skill a measure of authority and expert judgment in public-welfare questions."

Certainly there is need of skilled aid in adjusting or readjusting human relations and in conserving the spirit and substance of the family. Yet I can not help wondering how the spirit and substance are to be preserved without the form. Is not the form the outward and visible sign of that spirit to which Doctor Van Waters refers? In this age of general revolt against authority; of the impatience of youth at restraint; of the new freedom of women; in this age of the automobile and the airplane, when the counsels of religion so greatly have lost authority; when youth and age alike are perpetually on the move; when the cafeteria has succeeded to mother's kitchen, and the radio supplies through the ear as much of literary and spiritual pabulum as an inattentive and impatient mind is willing to receive, what place is there for either the spirit or the substance of the family?

What is the family as the social organism that was long regarded as the unit of human society? Husband, wife, and children make up the normal family, such as old Isaac Watts thought of when he wrote:

"Birds in their little nests agree;
And 'tis a shameful sight
When children of one family
Fall out and chide and fight."

In the larger sense, prevailing in continental European countries, the family is the association of all the living males of a common ancestry, with their wives and children. In this sense we never have had families in America. But in the more restricted meaning the family and the home where it dwelt, until recent times, was the accepted unit of American life. Politicians still orate about "the home," ignoring the fact that the home and the family alike virtually have disappeared. The modern idea of home has been well expressed as the place one goes to from the garage.

How could "the family" persist when to all the other elements that destroy stability is added the increasing frequency of divorce?

Do not all the social workers know how large a proportion of juvenile delinquents come from "broken homes"?

So the social worker to-day engages in the task of adjusting and readjusting social relations with far less aid than ever before from the authority of the church, the precepts of religion, or the cohesive force of family relation.

But by that same token the sheer difficulty of the task must attract a body of abler, bolder, more courageous workers than those who could call upon the authority of revealed religion and parental control to subdue the fractious or console the unfortunate.

If the church has lost authority, however, the essential principles of Christianity, the application of that same spirit that animated the good Samaritan, never have been more widely applied in dealings between men. If the family as an organization of those of common stock has been dissipated by the restlessness of this age of movement, the conception of all human society as a family, with the reciprocal duty of responsibility and service among its members, has succeeded to the responsibilities and the duties of the smaller group, with the corresponding right to the loyalty, obedience, and support of its members.

The primary task of the modern social worker is, then, as it seems to me, to bring home to all people the actualities of this great change in social life. As Doctor Van Waters said, "The function of the new [social] morality is not to terrorize man but to vitalize him." Too much of the older methods of social control depended upon the use

of fear—in this world and in the hereafter. The problem to-day is to bring home to everyone the realization that in this enlarged family, which is modern society, every man and every woman owes a duty to every other; that the welfare of each is bound up in that of all; that the right to the pursuit of happiness, to life, liberty, and property, depends upon the observance of this rule of reciprocal duty; and that those who will not play the game according to the rules from time to time made by the social organism for the conduct of its life must not complain when they are denied the privileges and rewards secured to those who do.

Thus the problem has become one of education—in the broadest sense of that term. The new education, as Dr. Lawrence A. Averill has written in the April issue of *Mental Hygiene*, aims at the development of the individual. It manifests a keen interest in the health of the individual child.

"Little by little," says Doctor Averill, "school health work is being changed from a mere routine inspection that misses all save the most glaring defects to a careful and methodical system of safeguarding and protecting the physical organism of the future citizen and worker through preventive measures. * * * The movement for mental health, too, is making rapid strides in many communities that are impressed with the tremendous possibilities of forestalling and preventing emotional and personality maladjustments, and already child-guidance clinics are available to thousands of children in the United States. * * * The whole idea of prevention is basically behind this movement—prevention of physical disease and abnormality, prevention of unfortunate attitudes and habits on the part of both parent and child, and prevention of deficiency, underprivilege, and maladjustment generally."

This enlarged conception of education, when accepted by the State and applied by qualified teachers and workers, is giving to children a greater and more intelligent care and supplying them with far better preparation for their mature life than was furnished by the home and the family of earlier days.

This new education is based upon the recognition—so late a development in the concepts of organized society—of the preeminent value to the community of healthy, sane-minded children. The children are the greatest assets of the State, from every point of view. Perhaps one-half of the money expended by organized society in maintaining the delinquents, the injured and the diseased, the incompetent and the indigent aged, would be saved if an adequate sum were expended yearly for the physical, mental, and moral welfare of our children.

Modern society, especially in America, is a highly complex organism, composed of many varied racial elements, subjected to the high pressure of an intensely mechanized civilization. Without the modifying influence of the new conception of social duty, our civilization would be in great danger of degenerating into as sordid, cruel, and impersonal a tyranny and servitude as that of Soviet Russia. It scarcely requires argument to demonstrate that no such complex social organization as that of the present-day United States could long exist without established, recognized, and generally accepted rules of conduct of its members. The success of the rules depends upon their meeting the sense of justice of the greater number of the community. While in the beginnings of society the only law discoverable may be custom, as Mr. James C. Carter said in his Harvard lectures, yet, as he also remarked, "the word itself imports its main characteristic, namely, its persistency and permanency." He adds: "It is important to point out that the establishment of a custom requires time, and long periods of time, and as all conduct is preceded by thought, it also involves a long series of similar thoughts—that is, of long-concurring common opinion."

"Custom rests, therefore, not only upon the opinion of the present but upon that of the past; it is tradition passing from one generation to another." (Law, Its Origin, Growth, and Function, p. 19, by James C. Carter, Putnam, 1907.) It was this customary law to which the Parliament of Henry VIII referred, as such as " * * * the people of this your realm have taken at their free liberty, by their own consent, to be used among them; and have bound themselves by long use and customs to the observance of the same * * * as the 'customed' and 'ancient' laws of this realm, originally established as laws of the same, by the said sufferance, consents, and custom; and none otherwise." (25 Henry VIII, c. 21.) This body of "customed" and "ancient" laws undoubtedly constitutes the best observed laws of any commonwealth. But our modern civilization changes so rapidly that regulation of its life by newly enacted law becomes imperative long before uniform conduct can develop, ripen into custom and become generally accepted rules. A generation that has lived through the invention and introduction into general use of the telephone, the electric light, the radio, the gasoline engine and automobile and airplane, to say nothing of a thousand other adaptations of applied science, should readily understand that the problems resulting from the employment of all these must be met by some other means than self-imposed customary rules. Consider, for example, the problems presented by the increase in the number of automobiles on our highways during the last 30 years. The total number of registered motor cars of all classes in the United States in 1899 was 3,200; in 1928, 24,493,124. Very early in the history of their use the inadequacy of the existing laws respecting vehicular traffic to meet the new conditions created by the growing amount of motor-car traffic was recog-

nized and legislatures began passing statutes to meet the new problems as they developed.

A pamphlet issued by the Automobile Club of America in 1904, containing all the laws on the subject then in force in the United States, numbered but 87 pages, small octavo. By the next year, it was increased to 175 pages. (New York Association of Bar. Pamphlet V. 402, No. 11.) In 1927, a *Cyclopedia of Automobile Law* was published in three volumes, of approximately 1,000 pages each, and a supplemental volume of 525 pages, in 1930.

In the preface to the last-mentioned work it is said:

"The law relating to the automobile has grown up almost overnight. History does not afford an instance in which such a body of judicial exposition and legislative commands as that contained in the *cyclopedia* has developed in so short a time. So rapid a growth must necessarily be attended with more or less conflict, instability, and uncertainty, making evident the importance of having an early opportunity to view, as a composite whole, the most recent pronouncements of those authorized to declare the law in connection with the older body of law." (*Blashfield's Cyclopedia of Automobile Law*—Vernon Law Book Co., 1930, Vol. IX.)

That this was a legitimate field for legislation was recognized from the outset. But by 1924, the inadequacy of many of the statutes to meet the situation, the confusion caused by conflicting State laws, the need of more carefully studied remedies to check the mounting toll of injuries to persons and property on the highways, led the Secretary of Commerce, Hon. Herbert Hoover, to call a meeting which was held in Washington on December 15–17, 1924, of a national conference on street and railway safety, to devise and recommend measures which would reduce the traffic accidents in the country. The conference was attended by official delegates appointed by the governors of 43 States, by delegates of voluntary organizations from all parts of the country including traffic and police officials and representatives of industries concerned, amounting in number to nearly 1,000. The conference found a lack of uniformity in our traffic laws and regulations, and the failure of many communities to benefit by the experience of others—all of which had a large responsibility in the causes of accidents.

As a result of its recommendations, a committee on uniformity of laws and regulations was created, which, in cooperation with the National Conference of Commissioners on Uniform State Laws, developed three model acts to form the basis of a uniform vehicle code. They also recommended that the code be supplemented by State administrative regulations. (Bar Assn. N. Y., Pamp. V 639, No. 20.) Later the conference committee recommended uniform laws respecting the sizes, weights, and speeds of vehicles using the highways. (Bar Assn. N. Y., Pamp. V 644, No. 1.) This is the ideal way of preparing legislation on subjects newly calling for regulation by law. While legislatures do not always accept such recommendations, the studies and draft laws furnish a basis which, at least, seem to secure better legislation than would be apt otherwise to be produced. The motor vehicle conference committee is also engaged, in common with judicial councils and several other bodies, in studying methods of protecting persons injured by motor vehicles on the highways by requiring owners to carry liability insurance or furnish indemnity bonds conditioned to meet claims arising from injuries to persons or damage to property. (Compulsory Automobile Liability Ins. N. Y. Assn. Bar, Pamp. V 533.) In other words, an intensive process of educating the public concerning the problems and as to the best methods of meeting them has been carried on.

Whether the laws thus far enacted have been the wisest and best, or not, the importance of their enactment and of their observance is widely recognized and perhaps on the whole there is a smaller percentage of violations of these acts—large as is the number in the aggregate—than of many, if not most, other kinds of laws.

It is true, an enormous number of prosecutions for violations of the laws regulating automobiles and their use come before the courts. In many States special tribunals have been constituted to dispose solely of this class of cases. In one court alone, in Los Angeles, Calif., last year there were tried and disposed of upwards of 140,000 complaints of violation of traffic regulations. Most of these prosecutions are summary proceedings. Few are tried before juries. Usually the penalties are fines only. Little or no complaint is made of those laws, even though the trend of amendment is by way of making them more explicit and more easily enforced. The public recognizes the imperative necessity of regulating the use of motor vehicles on the public highways. But in meeting the automobile problem, reliance is not placed wholly upon the enforcement of penalties. Education concerning the need of regulation, of inspection of cars, of the capacity of chauffeurs and the like, is constantly being employed.

The history of the development and enforcement of legislation to control automobile traffic affords a striking example of how, by statute making and by education of the public concerning the need of such legislation, better observance of the laws has been secured in one important field. There are many other subjects which the legislature seeks to control. Sometimes it seems as if it would have been wiser if the lawmaking power should have waited to see if common use would

not evolve a better regulation than that embodied in the statutes. But that is a matter of legislative discretion. Save as regulated or restricted by constitutional limitations, the legislatures, State and National, may exercise this discretion as they see fit and good citizenship accepts and obeys their mandates until they are repealed or modified.

Even Mr. James C. Carter, one of the most determined opponents of statute making, except when the customary law fails to meet an obvious moral need, and who contended that "Crime, like law, can not be made, but must be found," wrote:

"We must obey the laws even when ill-advised, and must therefore regard as crimes what they declare to be crimes; but in the view of science, conduct can not be made criminal by a legislative declaration. In the true sense, crimes are those grave departures from customs which disappoint expectation, excite resentment, and produce revenge, and directly involve society in disorder and violence." (*Law, Its Origin, Growth, and Function*, pp. 251–2.)

Opinions will differ as to what subjects should be regulated by legislation and how they should be controlled. Broad discretion necessarily is vested by constitutions in legislatures as to the subjects which should be controlled by law and the means of compelling obedience to the law. Where the law is the expression of the will of a mere legislative majority and does not reflect the general views of the community, the law-making power frequently, if not generally, seeks to compel obedience by excessive penalties, although this method seldom accomplishes its object.

Lord Macaulay, in his *History of England* (Macaulay, *History of England*, Vol. V, Ch. XXIII, pp. 297–298, Harpers, 1879) gives an interesting account of the efforts by act of Parliament to prevent the importation into England of woolen goods made on the Continent. A report made to the House of Commons in 1698, showed "that during the eight years of war, the textures which it was thought desirable to keep out had been constantly coming in, and the material which it was thought desirable to keep in had been constantly going out."

"The inference which ought to have been drawn from these facts," Lord Macaulay wrote, "was that the prohibitory system was absurd. That system had not destroyed the trade which was so much dreaded, but had merely called into existence a desperate race of men who, accustomed to earn their daily bread by the breach of an unreasonable law, soon came to regard the most reasonable laws with contempt, and, having begun by eluding the customhouse officers, ended by conspiring against the throne. And if, in time of war, when the whole channel was dotted with our cruisers, it had been found impossible to prevent the regular exchange of the fleeces of Cotswold for the alamoses of Lyons, what chance was there that any machinery which could be employed in time of peace would be more efficacious? The politicians of the seventeenth century, however, were of opinion that sharp laws sharply administered could not fail to save Englishmen from the intolerable grievance of selling dear what could be best produced by themselves, and of buying cheap what could be best produced by others. The penalty for importing French silks was made more severe. An act was passed which gave to a joint-stock company an absolute monopoly of lustrings for a term of 14 years. The fruit of these wise counsels was such as might have been foreseen. French silks were still imported; and, long before the term of 14 years had expired, the funds of the Lustring Co. had been spent, its offices had been shut up, and its very name had been forgotten at Jonathan's and Carraway's."

"Not content with prospective legislation, the Commons unanimously determined to treat the offenses which the committee had brought to light as high crimes against the State, and to employ against a few cunning mercers in Nicholas Lane and the Old Jewry all the gorgeous and cumbrous machinery which ought to be reserved for the delinquencies of great ministers and judges. It was resolved, without a division, that several Frenchmen and one Englishman who had been deeply concerned in the contraband trade should be impeached. Managers were appointed; articles were drawn up; preparations were made for fitting up Westminster Hall with benches and scarlet hangings; and at one time it was thought that the trials would last until the partridge shooting began. But the defendants, having little hope of acquittal, and not wishing that the peers should come to the business of fixing the punishment in the temper which was likely to be the effect of an August passed in London, very wisely declined to give their lordships unnecessary trouble and pleaded guilty. The sentences were consequently lenient. The French offenders were merely fined, and their fines probably did not amount to a fifth part of the sums which they had realized by unlawful traffic. The Englishman who had been active in managing the escape of Goodman was both fined and imprisoned." (*Macaulay's History of England*, ch. 23, pp. 17–20.)

This was a more speedy and a happier ending of an unsuccessful attempt to accomplish a mistaken economic result by law than many others of like nature.

Intelligent legislation takes account of such histories as this. Mr. Justice Holmes, in the opening chapter of his famous book on *The Common Law*, wrote:

"The life of the law has not been logic; it has been experience. The felt necessities of the time, the prevalent moral and political theories, intuitions of public policy, avowed or unconscious, even the prejudices

which judges share with their fellow men, have had a good deal more to do than the syllogism in determining the rules by which men should be governed."

And while in another place he said, "The first requirement of a sound body of law is that it should correspond with the actual feelings and demands of the community, whether right or wrong" (Op. cit. p. 41), he adds, "Statutory law need not profess to be consistent with itself or with the theory adopted by judicial decisions." (Op. cit. p. 63.)

As a matter of fact, much statutory law wholly ignores the theory of judicial decisions. Frequently conscious that the new law will provoke widespread opposition and resentment, the legislature fortifies its mandates with excessive penalties for noncompliance, and when experience shows that the apprehension was well founded supplements the original penalties by vindictive increases. This is but reverting to the early type of legislation. The penalties are in the nature of vengeful reprisals upon those who question the legislative wisdom. As Justice Holmes says, "It is commonly known that the early forms of legal procedure were grounded in vengeance." (Op. cit. p. 2.)

Judge Parry, an English judge of wide experience in the administration of the criminal law, writing of some famous characters known to statutes as "rogues and vagabonds," says: "These poor creatures in Shakespeare's time were no doubt a great social pest, but the cruelty of the laws against them did little to stop their activities." He adds, "Each generation has had a few reformers with sufficient insight to understand that force, though necessary to restrain, is no remedy for crime." (Vagabonds All, by Judge E. A. Parry, New York, Scribner's Sons, 1926, p. xii.)

Naturally, in this connection one thinks of the national prohibition law. Without trenching upon the contentious ground of how the eighteenth amendment and the legislation to carry it into effect were brought about, one thing is perfectly obvious, and that is, that from the enactment of the Volstead Act down to the present time, reliance upon carrying out the purposes of the amendment was placed upon the power of the Government to compel by the imposition of penalties of fine and imprisonment the general observance of the statute law. This method reached its peak in the enactment of the Jones law in March, 1929, which in effect made every violation of the prohibition laws, with the exception of illegal possession and maintenance of a nuisance, a potential felony. No process of education or attempted education of the public into the value of prohibition to accomplish the maximum of temperance in the community was attempted during all this period. The long course of demonstration of the evils of the use of intoxicating liquor which had led to the adoption of the eighteenth amendment was abandoned.

It is interesting to contrast the history of this method with that of England during the same period. The testimony given during the last few months before the Royal Commission on Licensing (England and Wales) has brought forth much evidence showing a marked decrease in the amount of drunkenness in England and Wales since the pre-war period. This is ascribed in part to the restriction of the hours of the day and in the evening during which liquor can be sold, the regulation of the quality of the liquor, requiring a higher price, but mainly to the general process of education of the public into the evils of excessive drinking and the advantages of other forms of innocent amusement.

The chief metropolitan magistrate, for example, testified to the steadily progressive decrease in drunkenness in London during the last 23 years, and said that he thought it due to better education; that the younger people amused themselves in other and better directions; they get out of London, play more games, and lead generally a healthier life. Other magistrates testified to the same effect. One of them referred to the gradual spread of education and the influence of social workers, police court missions, probation officers, and others in the district in which he had jurisdiction. He said the decline in drunkenness in his district had been so steady during the postwar years, that he had suggested to the chief superintendent of police that it was rather unkind to bring an offender to the police court, he ought to be taken to a museum! An assistant commissioner of the metropolitan police, testifying to the same general increase in temperate habits, ascribed them to the changing habits of the younger people; better amusements, better education, and perhaps the increase in the price of the liquor sold. He also referred to the great decrease in drunkenness among women, and ascribed it in part to the fact that in the morning and between 3 and 5 o'clock in the afternoon liquor could not be purchased.

So marked is this increasing temperance in England and Wales, that one witness testified that during the whole week of the National Eisteddfod in 1928, when there was an average daily attendance of 15,000 to 20,000, not a single case of drunkenness or disorderly behavior was reported. This witness said that among the things which had contributed very largely to soberer habits were motoring and motor cycling, better housing, and a system of communal provision of those amenities which were so lacking in the past—welfare institutes, recreation grounds, bowling greens, and playing fields.

He said there had been an increase in various forms of pastimes and recreations—dancing, billiards, and forms of athletics among the

younger men; the cultivation of hobbies, such as wireless sets, pigeon flying, dog training, and dog fancying; many went twice a week to the cinema and once or twice to dances; there also had been a great development of adult education and other cultural pursuits; tutorial classes in economics; the drama and literature generally, etc. The churches, too, though under grave difficulties, had greatly developed their institutional work. I quote his further testimony, as it affords so much of interest and suggestion. He said:

"In addition, choral singing, for which the people of the mining villages have long been famous, still maintains its hold on the people, while many of the younger folk have been trained in and can now do creditable work in instrumental music. Many centers have every year a drama week, in which amateur parties compete in the production of plays of their own selection. A greater comradeship between the youth of the two sexes has also sprung up. Young men treat the girls of their acquaintance more as pals than they used to do, and the girls share their interest in football, tennis, motor cycling, or some other pastime. In fact, both men and women have learned and are still learning to make better use of their leisure than to spend it in clubs and taverns." (Testimony of Mr. D. L. Thomas, Stipendiary Magistrate; Minn., p. 366.)

The record in what used to be regarded as one of the most drunken communities in the world—that is, the Welsh mining regions—is quite extraordinary, but it is only a part of the general trend of testimony to the increasingly temperate habits of English and Welsh communities; and all of this evidence furnishes very cogent suggestion to those charged with the enforcement of the eighteenth amendment in the United States as to better methods of attaining the object of that amendment than those which for the last decade have been pursued.

Mr. Jack Black, the author of *You Can't Win*, at the last annual conference spoke feelingly of the futility of our methods of compelling obedience to law. He ascribed—and in that I agree with him—much of the crime prevalent in our country to the effect of our prison system. "Many people wonder at crime," he said. "I don't wonder at it, nor would they if they knew the character and caliber of the average prison official who is supposed to look after the correction and instruction of his charges. Here you have a seeming contradiction; our prisons, instead of reforming prisoners, are geared and guaranteed to grind out criminals. I'll pass by the cruel and inhuman punishment, the iron discipline, the galling restraint, with a word; they send the prisoners out either a homicidal maniac or a broken petty thief, stealing door mats and milk bottles, and spending his life doing short sentences in small jails." (National Conference of Social Work. Proceedings of Fifty-Sixth Annual Meeting, p. 197.)

The remarkable study of 500 criminal careers made by Doctor and Mrs. Sheldon Glueck (New York, Alfred A. Knopf, 1930) is devoted to the case history of offenders who have served terms in the Massachusetts Reformatory. Doctor Cabot in his introduction says that the study "shows that the Massachusetts Reformatory (probably one of the best in the country) failed in 80 per cent of the cases studied to do what it is meant to do. It did not reform these men, for they continued their criminal careers, though not quite so actively as before." If such be the result of the best reformatory treatment of young men; how can we wonder that the prison treatment of older persons should result as Mr. Black has described?

There is a pregnant suggestion in Mr. Black's address that deserves to be carefully considered.

"To my mind," he says, "young offenders should roughly fall into two classes—the strong and well, the sick and weak. Let the strong and well be taught to think straight, to learn responsibility, leadership. Develop the loyalty that's in them, and then challenge it. Find occupation for them that is hazardous, dangerous, and adventurous, and they'll eat it up. Let the doctors, specialists, and mental sharps treat the sick and weak. Look to their eyes, their ears, their teeth, and their glands."

That paragraph summarizes the best program of crime prevention I ever have read. The only trouble with it is that it is too simple. People in general want their prescriptions for social as well as personal disorders written in a dead language.

To comprehend such a remedy we must rid our minds of the idea that criminals are a race apart from other men. They are not, until of course a treatment at prisons like Auburn, Columbus, San Quentin, or Boulder City has reduced them to the condition described by Mr. Black.

Many of them at first are only adventurous boys; but social neglect, broken homes, and the absence of any steady moral influence transform them into outlaws.

I hope that in the near future other studies similar to that of Dr. and Mrs. Sheldon Glueck, of groups of men and women graduates of other reformatories as well as of State prisons will be made and published, so that society may know better what is the result of our methods—our crude, unintelligent, brutal methods of treating offenders against our laws. Certainly to-day there should be no difficulty in getting support for such studies from men who believe that those who break the law are not necessarily criminals. There should be in the hearts of some of those who systematically violate laws of which they

do not approve, an active sympathy with others who violate the laws they find unpleasant, inconvenient, or unprofitable to obey! Indeed I believe there is more urgent need than ever before for a scientific penetrating study of the effects of our whole system of criminal justice. Doctor and Mrs. Glueck have blazed a pathway that should be followed by others in order that reforms should be intelligently planned in the light of ascertained facts.

As I have already said, I believe that in large measure observance of the law can be brought about by education and persuasion rather than by force and harsh penalties. Not force, but reason, I believe is the best preventive. If only those entrusted with the administration of our penal laws would cooperate with the public-health authorities in bringing home to those affected by any particular legislation the advantage to them and to the community at large of its observance, I am confident we should have fewer prosecutions in the courts and less congestion in our prisons.

May I commend to the division of delinquents and correction of this conference the careful consideration of this subject? By systematic instruction the public health authorities are educating people into a recognition of the value to themselves of vaccination and inoculation in preventing smallpox, diphtheria, and other contagious diseases, and the importance to health of cleanliness and the prompt removal of garbage. A systematic campaign of instruction in the value of law observance should amply repay the cost of conducting it. Laws on related subjects might be grouped under appropriate heads and the general thesis of the advantage of obeying the law expounded to the public on the radio, by leaflets, and to groups of people living in congested areas.

The problem of law enforcement largely is a matter of education in law observance. Preventive measures rather than penalties of fines and imprisonment should be emphasized. The new education must study and teach the reciprocal duties of the State and its members. Sympathy and helpfulness rather than the rod, the cell, and the stone pile should be tried in order that lawlessness be reduced to the lowest point.

After all, the essence of the problem of delinquency is not complex. Society makes laws for its own protection. If all members of the community were of sound mind, virtuous, and intelligent, and not subjected to temptation too strong for their characters, and all laws were fairly reasonable, there would be a general observance of law.

But many people are not of sound mind, many laws are not reasonable, many people are subjected to temptation beyond their powers of moral resistance, and so men violate the laws. Then arises the problem how to secure the maximum observance of law. From time immemorial, society has sought to accomplish this by punishment. The avowed object of that method was first as an example to others to avoid incurring the same fate, and secondly to make the offender himself repent of his deeds. Later grew up the idea of reformation of character through suffering and penitence. And a pretty mess has organized society made of all this! In a large proportion of cases, the treatment of offenders by way of punishment for their deeds results in making them lifelong enemies of society and in saddling the State with the burden of supporting them, in or out of prison, so long as they live. Is it not time we tried some other method? Let us get rid of this complex of fear that so largely dictates our treatment of offenders. Let us consider that each and every one of them is an individual and give him individual study and treatment as physicians do patients in hospitals. We can surely do no worse by that method than we have by the old. Is it not worth while trying the new way—which is Christ's way?

In closing, let me say, in a paragraph quoted in that quaint old book of Robert Southey, the doctor, etc., "These are my thoughts; I might have spun them out into a greater length; but I think a little plot of ground, thick sown, is better than a great field which, for the most part of it, lies fallow."

ADDRESS OF HON. HENRY D. HATFIELD, OF WEST VIRGINIA

Mr. SHOTT of West Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address made by Senator HATFIELD, of West Virginia, at Concord State College in my district.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. SHOTT]?
There was no objection.

Mr. SHOTT of West Virginia. Mr. Speaker, at the commencement exercises of Concord State College, Athens, W. Va., on Tuesday, June 3, 1930, United States Senator HENRY D. HATFIELD made an address to the graduating class of such inspirational excellence that, under the leave to extend my remarks, I desire to insert it in full, as follows:

GRADUATING ADDRESS

To the graduating class of Concord State College: To many, these inspiring ceremonies representing years of patient toil are cold and lifeless. To the graduating class, at least, they should have the profound and solemn inspiration of an epochal period in their lives.

Many of you will part with friends that you have made here whom you may not meet again. It is an ordeal through which you must pass, one that is mingled with sadness and exultation. You have

reached the first milestone of necessity in striving for the goal of a genius.

I have the compassion to spare you further admonition and shall, therefore, confine my discussion to two of the many elements which will go to make or mar your lives. The first is equanimity; the other is perturbability. If you will develop these qualities in your approach to responsibilities and practice them, they will contribute to your success and likewise help you in days of failure.

I quote from Marcus Aurelius:

"Thou must be like a promontory of the sea,
against which,
Though the waves beat continually,
yet it still stands,
And about it are those swelling waves
stilled and quieted."

Again I quote from Matthew Arnold:

"I say: fear not, life still
Leaves human efforts scoped.
But, since life teems with ill,
Nurse no extravagant hope;
Because thou must not dream,
Thou need'st not then despair."

Let us revert back to the historical record of one of the world's wisest of rulers, Antoninus Pius. When he lay dying at Lorium, in Etruria, he summed up the philosophy of life in the watchword, "aquanimitas." After a useful life, in his passing he left this parting word, which no doubt has been the guide to many since his day who have played their part in life and passed on. So for you, fresh from "Clotho's Spindle," a calm equanimity under all conditions and surroundings is the desirable attitude, difficult in many instances to attain, yet essential to success as in failure.

The temperament which comes largely from inheritance has much to do with its cultivation and development. A clear knowledge of your fellow creatures, taking into consideration the normal mental trend of the average life, is essential. The first indispensable asset to individual success and the development of a well-poised equanimity is not to be too dependent on the people amongst whom you dwell.

The old axiom that "Knowledge comes, but wisdom lingers" is indeed true. In many of the learned professions as it affects the average layman of to-day a greater amount of knowledge is not professed than the average citizen of the days of the Roman Empire, according to history. Because of this lack we find professional men in many instances lacking in the proper credulity and regard by the average man for the truth, and they have been developed, however, by strong, trained mentalities that have been written in no uncertain terms, based upon truth conclusive and indisputable. Yet we find a certain amount of suspicion and lack of genuine conviction on the part of good, substantial citizens who are indispensable in the social realm of our Republic, and who, in many instances, are found in the responsible positions of life. We find them in the professions, in the busy walks of life, and in the legislative bodies of our land, where, because of their departure from others in forming their conclusions, they become individualists, which makes possible the uncovering and development of greater and more definite principles, which widen the sphere of reasoning and thinking and furnishes the solution of many problems most perplexing.

As you progress in your course through life, possibly in one of the professions, a feature that will press hard upon your finer spirit and ruffle, in many instances, your equanimity, is the uncertainty which pertains not alone to science and art, but to the very hopes and fears for the proper use of those attributes in the most successful way which make you successful men and women.

In seeking absolute truth, we aim at the unattainable and must be content with finding broken portions. You remember the Egyptian stories of how Typhon, with his conspirators, dealt with good Osiris; how they took the Virgin Truth, hewed her lovely form into a thousand pieces and scattered them to the four winds; and as Milton says: "From that time ever since, the sad friends of Truth, such as durst appear, imitated the careful search that Isis made for the mangled body of Osiris, went up and down gathering up limb for limb, still as they could find them." We have not yet found them all. Each one of us may pick up a fragment, perhaps two, and in moments when mortality weighs heavily upon the spirit, we can, as in a vision, see the form divine, just as the great naturalist can reconstruct creatures of the ages from a fossil fragment.

It has been said that in prosperity our equanimity is chiefly exercised in enabling us to bear in composure the misfortunes of our neighbors. After you have chosen your genius, have passed beneath the throne of necessity, and when you have reached the zenith of your ambition in a business or professional way and have been welcomed therein, it is fair to anticipate that for some of you there is in store disappointment and perhaps failure; but, in these dark hours, equanimity of action and the attributes of perturbability are to be found two great stabilizers with which you can approach these obstacles with the greater assurance of success finally crowning your efforts, provided they are supported with a wholesome knowledge of the profession of your choosing.

You can not hope, of course, to escape from the cares and anxieties incident to any business or professional life. Stand up bravely even against the worst. Your very hopes may have passed on out of sight, as did all the ones near and dear to the patriarch at Jabbok-Ford, and like him, you may be left to struggle in the night alone. Well for you if you wrestle on, for in persistence lies victory; and with the morning may come the wished-for blessing. But not always; there is the struggle with defeat some of you will have to bear and it will be well for you in that day to have cultivated a careful equanimity. It will serve you well.

Remember, too, that sometimes "from our desolation only does the better life begin." Even with disaster ahead and ruin imminent, it is better to face them with a smile and with the head erect, than to crouch at their approach. And if the fight is for principle and justice, even when failure seems certain, many have failed before; cling to your ideal and like Childe Roland before the dark tower, set his slung horn to your lips, blow the challenge, and calmly await the conflict.

It has been said that "In patience ye shall win your soul." What is this patience but an equanimity which enables you to rise superior to the trials of life, sowing as you shall do beside all waters. I can but wish that you may reap the promised blessing of assurance forever, until,

"Within this life,
Though lifted of its strife,
You may in the glowing winters glean
A little of that wisdom which is pure,
Peaceful, gentle, full of mercy and
Good truths without partiality and
Without hypocrisy."

The past is always with us never to be escaped; it alone is enduring, but amidst the changes and chances which succeed one another so rapidly in life, we are apt to live too much for the present and the future.

We all remember Chaerophon, the former friend of Socrates, who went to the oracle of Delphi to consult the Titan prophetess. The response was that there was no one wiser than Socrates. When Socrates heard of the pronouncement of the god, he was much troubled and set out to interpret this undeserved tribute, as he thought, but which would be a compliment in this age, whether deserved or not, even to the point of small obsession in the way of exaggerated ego. Not so with Socrates, however. He was definitely convinced in his own mind that he possessed no wisdom, small or great. I quote his commentary dealing with the distinction that had been conferred upon him:

"What can he mean when he says I am a wise man? And yet he is a god, and can not lie; that would be against his nature."

So thoroughly was the great man of the people convinced that he was being granted a recognition which was not his that he set out to prove to the contrary, feeling that it was a part of his duty to disprove it, concluding that if he could confront the god by finding a man who was wiser he would do so. So he went to the politician, and after a conference he concluded that neither he nor the politician knew anything really beautiful or good, but that he was the wiser of the two, for the politician knew nothing but thought to the contrary.

Not satisfied with his first experience, Socrates sought another with a higher psychological pretension, and his conclusion was the same. He then went to others, including poets, and found them incapable of discussing intelligently their own production in poetry and literature, so his conclusions were that their achievements were not made possible by the wisdom they possessed but due to a sort of genius or inspiration. He said: "They are like diviners or soothsayers, who say fine things but do not understand the meaning of them."

So it is with us, our presumption many times exceeds our ability or knowledge. We should, therefore, approach responsibilities that come to us with a determination to possess an understanding of them, and if perchance they be public ones, administer our duty or responsibility in such a way that it will render the best service to society. We may be opposed in these conclusions by those who have a different viewpoint, made so largely by environment or the lives which they live. In many battles you will experience right falling to the ground. This should not be discouraging, for history has repeatedly proven that justice and equity, while it may be defeated primarily, will, in the end, prevail.

All of these controversial questions of a public nature must not be approached with the idea of personal gain as is usually the inclination, but from the point of right or wrong. Knowledge of the problem, free from egotism and partiality, being the essential in the discussion of arriving at the rightful conclusions of controversial matters, and the training and wisdom in foreseeing their final application as to their compatibility to the welfare of mankind.

In discussing wisdom, Socrates states: "I am called wise, for my hearers always imagine that I myself possess the wisdom which I find wanting in others; but the truth is, O men of Athens, that God is wise; and in this oracle he means to say that the wisdom of men is little or nothing; he is not speaking of Socrates, he is only using my name as an illustration, as if he said, 'O men, he is wisest who, like Socrates, knows that his wisdom is in truth worth nothing.'"

Quoting him further: "If this is the command of God, as I would have you know, and I believe to this day, no greater good has ever happened in the state than my service to God."

There can be no question, for instance, but that the fathers who conceived and pronounced the Declaration of Independence and who wrote and then brought about the adoption of the Constitution of the United States were moved to act in keeping with the fundamental thought that had been handed down to them from the ages, which carried with it the admonition of the great masses in their conception as to the proper guide to the principles of equality to all in the rights and privileges of liberties dealing with all questions—political, economic, and religious—in their idea of a democratic form of government.

There is one conviction that I would like to give to you that has come to me in my varied experiences in life as the best to follow, with the hope that it will have a lasting impression on you who will assume the responsibilities as you pass through life that have to do with the destinies of your fellow man, and that is to keep ever before you that principle which surely was the controlling factor in the conclusions of that great man of wisdom who possessed knowledge, although not conscious of it, in dealing with problems in connection with the welfare of mankind upon equal footing for all. This thought is reflected in our Government in the establishment of its strongest pillar where are to be found the individual limitations. It prescribes equality and interprets our rights and privileges as citizens.

Wisdom has blazed the path which has developed this principle more sacred than all others of our national superstructure combined. It largely depends on what the future has in store for us as a nation as to how long and how well we adhere to this beaten path which the fathers traveled to worship at this shrine, to revere, respect, and defend it.

We are continuously reminded of our responsibilities and duties. I have reference to the courts of our land. If we find laws oppressive as enacted by our law-making bodies, let us repeal them instead of abusing the judge who interprets them. Let us never condemn the judge for following the established interpretations recognized as the supreme law of the land; let us carry in our hearts love and reverence for all laws and due regard and encouragement for our judiciary to be courageous and noble in the duty and responsibility left to them to perform.

We have eminent authority for this statement, which goes back to the Holy Writ itself. Should our courts ever become biased or temperamental in their duties because of public sentiment, or a judge disregard his sacred obligations because of hope of political gain, or should he subjugate or disregard the proper interpretation of the law, then we can expect our Government to crumble. Then we will be confronted by mob violence and anarchy, as has been the case with other nations.

The judiciary is our strongest pillar. It represents the final arbitrament in the interpretation of law; it protects life, liberty, and the property of the individual, whether great or small, it guarantees to each and every man that his home is his castle.

I am loathe to advocate changes in our Constitution, although many valuable amendments have been added which none of us would think of erasing from this great document, which was conceived by our fathers and which represents the bulwark of this Republic. We have, through history, witnessed a nation in 156 years grow from three to one hundred and twenty million of prosperous and contented people. Our country from coast to coast is ramified by transportation companies of different kind and character, depending upon the service demanded. All investments under our flag have been made by our own people largely upon the faith and confidence offered in this fundamental law. Disregard or clamor to repeal any part of it disconcerts the equilibrium of our industrial growth, and at the same time creates suspicion and doubt of the stability of our Government in the mind of the individual citizen.

This fundamental law is not made by Congress but by the people in convention assembled or through the legislative bodies of the respective States that make up this Union and is basic in its structure, protective in its nature of the people against any oppressive statutory laws.

The interpretation of its sacred paragraphs harkens back to that period when our Nation was in its infancy.

So it is easy to see and understand that the judiciary is guided in its interpretation of new laws enacted in harmony with the old laws and with the Constitution is in keeping with the long line of decisions which go back to the very beginning of the Government itself. The judiciary, therefore, is the lifeblood of our Nation. History records that this Nation is the only enduring democracy, and as we grow in age we have developed mightily in strength. By the guidance largely of our judiciary we have reached that point in our progress that, as forecasted by the wise men, if we are ever to be destroyed it must be because of strife and discord amongst us.

One of the greatest, if not the greatest, Americans, who possessed wisdom to the point of immortalization, made the observation that an invading foe into this land could not make a track upon the Blue Ridge or take a drink out of the Ohio River in the period of 100 years.

There appears in these days to be a seemingly studied effort on the part of news gatherers on many of the newspapers of the country to

bring about misrepresentation of facts involving public questions, and also by men, especially lobbyists, who have designing and ulterior motives, by treating them in a jocular and misleading manner, thereby confusing the people by bringing about a misconception of the truth.

These questions should be received and discussed in solemnity, because they make for good or worse the contentment of a nation of people who possess the power of changing almost the entire attitude of governmental administration within the period of two years by our elective legislative system. The tongue of misrepresentation as portrayed in the Holy Writ can bring more distress and discord, even to the point of destroying character and sending others to an untimely grave, than any other instrument yet conceived by man. Our approach therefore in dealing with all questions, whether governmental or of a private nature, should be adopted or rejected after mature deliberation, free from fallacies.

I congratulate you on having arrived at the point of your ambition to obtain an education in your graduation from this fine, honorable institution.

Concord has and is serving a great purpose in the educational progress of our State and Nation. Through the years of the past, when chances for an education were not as good as they are now, invitations went out from this institution offering opportunities for the development of useful intellects.

While the corps of teachers who were in charge of the educational destinies of this school in the beginning have passed on to their reward, time sweeping her death toll has not in the least dampened the ardor and ambition of those worthy successors of these patriots. The glory of the ever-growing demand to furnish new and additional thoughts in science by new and successive discoveries and by scientific investigation has been so rapid that to-day we stand in a maze of mysticism at the wonderful progress that has been made in the first part of the twentieth century; and many who are farsighted are reveling in speculation as to what the middle and latter part of this century have in store for the future man.

Surrounded by all of these wonders, we intuitively harken back to the period of the great Socrates and with amazement find in his own logical reasoning principles applicable in many ways to our present day. We have advanced in a material way in our surroundings, environment, in freedom of speech and thought, the respect to individual responsibility, and the individual independence of man which was not to be enjoyed in his day.

How secure we are in our own mental conclusions; how much more liberty do we possess than was allotted to mankind in that day, with no power or other authority to destroy this independence granted to us by the sacred Constitution. A great thinker, because he dared to speak the truth of his convictions, was hailed before what was termed a court tribunal, with no limitation of power such as we enjoy, but controlled by public sentiment and prejudice, and he was required to pay with his life for his self-asserted independence. Yet because of his endowment of intelligence and wisdom he did not hesitate to assert these convictions as he believed them to be to the end, regardless of the consequences.

We find our surroundings, our opportunities, and our rights all that could be wished for in the way of freedom. But man has only been conceded this independent individuality after a tortuous course of experiences through the ages. First from the family groups, then the tribes, and later the self-proclaimed kings and monarchs. The test of supremacy for the crown was the one who could trace his blood back to antiquity's most successful robber. Independence of thinking became more determined upon by the persecuted millions.

The discovery of the Western Hemisphere afforded them the opportunity. Had it not been so the history of the world, no doubt, would have been more like a continuation of the rise and fall of the empires of the past. The only trace or record left of them is what history records, they have been so completely covered by the "mantle of oblivion."

We can understand, as a Christian nation, the cause leading to the Crucifixion. It was largely envy, superstition, and ignorance. The new world of people, in many instances, forgot their duty and responsibility to mankind, notwithstanding the fact that they had history as their guide, a lesson their ancestors learned so well by suffering and persecution in the Old World.

Innocent women were adjudged responsible for evil doings, such as witchcraft, and were executed. Slavery was indulged in for 250 years. So we can understand, when we stop to analyze the mental operation of man down through the ages, that because of the lack of proper subsoil necessary to the development of a stable mentality, he was unable to recognize justice and equity.

The emancipation of humanity, therefore, has been slow and uncertain in its course. The solution of these ills was the development of our educational systems. The parable of the sower can well be applied to the faculties of our great colleges. You will remember in Mark—

"The sower went out to sow; and presently, as he was sowing, some of the seed fell along the path; and the birds came and ate it up. Some fell on rocky ground, where it had not much soil, and, having no depth of soil, sprang up at once; but, when the sun rose, it was scorched, and having no root withered away. Some of the seed fell

among brambles, but the brambles shot up and completely choked it, and it yielded no return. Some fell on good soil, and shooting up and growing yielded a return amounting to thirty, sixty, and even a hundred fold."

So it is with you, my young friends, who are soon to take your leave from this institution to assume some responsibility in the way of duty in this great world of endeavor, the progress of which, in the way of opportunity, waits upon no one.

Your success in meeting these responsibilities will largely depend upon the yield you have garnered in the way of an education. The application of your own industrial ingenuity in drawing from this house of knowledge, stored away and made available to be utilized as the demands come in future years when you are meeting with problems in the competitive world.

The tasks of the old teachers may have seemed to you to be exacting even to the point of burdensome. No doubt you often felt there was an element of pique or dislike. Allow me to forecast for those among you who had such a feeling, that in future years you will arrive at the conclusion that your most exacting taskmaster in this college will prove to be your greatest benefactor in the problems which you must solve for yourself, and in helping you to arrive at the rightful conclusion which will mean much to you in the way of success.

On such occasion as the present, when the alma mater is in festal array, when we rejoice in her growing prosperity, it is good to harken back to the old days and gratefully recall those whose labors in the past have made the present possible. These sad realities of the past teach us to-day in the freshness of sorrow at the loss of friends and colleagues "hid in death's dauntless night." Ere long we will pass on and join the silent list whose passing was in some instances long ago, yet which is fresh in our memories.

While preaching to you a doctrine of equanimity, I am myself a castaway, and when I look back over the past of more than three decades of a fairly busy life, I wonder how the successions happened and how I have been able to climb the ladder to the present rung. All remains more or less in mysticism, possibly some day to be unfolded, but whatever else may be said of my faults and frailties—and I trust my record justifies the statement—whenever opportunity has presented itself, I have tried and have always been pleased to serve my fellow man.

Ladies and gentlemen of the graduating class of Concord State College, as I bid you good-by, I admonish you to take with you into the struggle which confronts you, the watchword of the good old Roman of bygone days—"aequanimitas."

SIXTH PAN AMERICAN CHILD CONGRESS

Mr. TEMPLE. Mr. Speaker, I call up a conference report on the resolution (H. J. Res. 270) authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress at Lima, Peru.

The SPEAKER. The gentleman from Pennsylvania [Mr. TEMPLE] calls up a conference report on the joint resolution (H. J. Res. 270), which the Clerk will report.

The Clerk read the title of the House joint resolution.

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

The conference report is as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the resolution H. J. Res. 270, a joint resolution authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same.

H. W. TEMPLE,

HAMILTON FISH, JR.,

J. CHARLES LINTHICUM,

Managers on the part of the House.

WILLIAM E. BORAH,

HIRAM W. JOHNSON,

CLAUDE A. SWANSON,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses to the amendment of the Senate to the resolution (H. J. Res. 270) authorizing an

appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held in Lima, Peru, July, 1930, submit the following statement explaining the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

The Senate amendment, inserting, on page 1, line 9, after the word "subsistence," the words "notwithstanding the provisions of any other act," will permit the payment of the reasonable, actual expenses of the delegates to this conference, which would not be permitted without this amendment.

H. W. TEMPLE,
HAMILTON FISH, Jr.,
J. CHARLES LINTHICUM,
Managers on the part of the House.

The conference report was agreed to.

THE FEDERAL CONTRIBUTION TO THE DISTRICT OF COLUMBIA

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent, as a part of my remarks, to extend in the RECORD an editorial appearing in this morning's Washington Herald, dealing with the subject of the fiscal relations between the United States and the District of Columbia.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The editorial referred to follows:

[Washington Herald, June 10, 1930]

SENATE'S STAND FOR JUSTICE HOLDS OUT HOPE FOR DISTRICT

A final fight for justice for the District of Columbia is inevitable. That fight may just as well be waged now as later. There will never be a better time.

The Senate manifests a spirit as fair as it is courageous. It appears to be determined to insist upon its amendment increasing the "lump sum" appropriation for the support of the Capital by the Federal Treasury from \$9,000,000, as fixed by the House of Representatives, to \$12,000,000.

Reporting to the Senate yesterday the conferees on the part of that body disclosed that the House conferees are unwilling to compromise. Senator WATSON, the Republican leader, commenting upon this in the Senate, declared that the Senate's conferees were "well within their rights in insisting on a compromise."

This forces an issue which, in the interest of the over-burdened taxpayers of Washington, should no longer be avoided.

The price of the Senate's firm stand for a square deal for the people of this community may be the failure of the passage of the pending annual supply bill, carrying nearly \$45,000,000. If so it were far better to pay that price than to surrender to continued injustice.

If the District appropriation bill fails of enactment a resolution can be passed continuing the appropriations for the current fiscal year.

But a weak surrender now to the House leaders, who are determined that no more than \$9,000,000 shall be granted from the Treasury for the support of the District government, would be a fatal error.

In insisting on its provision of \$9,000,000 the House of Representatives is a deliberate breaker of the very law it has enacted.

The House of Representatives, in refusing to comply with the law passed in 1922, fixing the Federal Government's contribution to the support of the District at 40 per cent, is employing the tactics of the bootlegger, the gangster, and the racketeer.

The law says that the Federal Government shall contribute 40 per cent. The \$9,000,000 carried in the appropriation bill as it passed the House represents only a fraction over 20 per cent.

Forty per cent of the amount provided for by the bill would be in excess of \$15,000,000 as the Federal Government's contribution. The Senate asks for but \$12,000,000.

The case is plain, clear, simple. Every American citizen can understand it.

If the District bill fails of enactment the country will know it. It will demand the facts.

And the House can not afford to go to the country on those facts. Let the fight be to a finish!

Mr. SIMMONS. Mr. Speaker and gentlemen of the House, I have at different times discussed the subject of the fiscal relations between the United States and the District of Columbia. I do not intend this morning to go into that subject at length. I have just been granted permission to extend in the RECORD an editorial appearing in this morning's Washington

Herald dealing with that subject. I desire to call the attention of the House to two paragraphs in it, which are as follows:

In insisting on its provision of \$9,000,000 the House of Representatives is a deliberate breaker of the very law it has enacted.

The House of Representatives, in refusing to comply with the law passed in 1922, fixing the Federal Government's contribution to the support of the District at 40 per cent, is employing the tactics of the bootlegger, the gangster, and the racketeer.

I wish to call your attention to one thing—because that editorial is written with the idea of supporting the position taken by the United States Senate—and that is that neither the Senate nor the House of Representatives in the District appropriation bill this year carry out the law making 40 per cent the amount of the contribution of the Federal Government to the District. A 40 per cent contribution to the District of Columbia on the part of the Federal Government means something over \$16,000,000. The House proposes to contribute \$9,000,000, the Senate \$12,000,000. Neither follows the 60-40 act.

Mr. CRAMTON. Will the gentleman yield?

Mr. SIMMONS. Yes, sir.

Mr. CRAMTON. Instead of being on a par with law violators the Congress has the right, either for one year or a series of years or permanently, to change the law as to the contribution. The parliamentary question as to how that shall be effectuated has been determined in this case by the Holman rule. Each year the House has proceeded in accordance with the rules of the House to make a change in the law for that year. We are entirely in harmony with the law and have violated it in no way whatever.

Mr. SIMMONS. Certainly not. The Congress that passed the law has the right to change it. Congress has changed it over a series of years and the House proposes to do it again this year. Neither body of the Congress is violating the law in the proposal which they make as to the amount of the Federal contribution.

My purpose in calling this editorial to the attention of the House this morning is to make the frank, flat statement that neither body of the Congress proposes this year to carry out the provisions of the so-called 60-40 act, and that the statement in this editorial applies just as much to one body of the Congress as it does to the other. The 60-40 plan is not an issue. Both the House and Senate have rejected it. Neither the House nor the Senate is subject to the charges made against the House by this editorial.

Mr. BLANTON. Will the gentleman yield?

Mr. SIMMONS. Yes, sir.

Mr. BLANTON. The gentleman knows that the present tax rate in the District of Columbia for this year is only \$1.70 for everything—schools, water, lights, and everything. That is the cheapest tax rate in any city in the whole United States, and there is not a man here who can justify his position in contributing more of the funds of the Federal Government than the \$9,000,000 now being contributed to the District. I am one of those who is standing behind the distinguished, able gentleman from Nebraska [Mr. SIMMONS] and I commend him for his brave stand.

Mr. CRAMTON. Will the gentleman yield again?

Mr. SIMMONS. Yes, sir.

Mr. CRAMTON. I want to take advantage of this opportunity to make this observation: The fight the gentleman from Nebraska [Mr. SIMMONS] has been making so ably and courageously in behalf of a reasonable limitation on the contribution for District expenses from the Federal Treasury in my judgment has at all times had the support of nine-tenths of the membership of this House. [Applause.] More than that, I want to observe that it is because of his ability and the vigor he puts into the maintenance of his positions, which have enabled him to convince this House that he is daily being subjected in another legislative body and in the newspapers of the District to such grossly unfair attacks upon him personally. [Applause.] It is a desire on their part to eliminate him by personal attacks when they are unable to do it by matching his logic. [Applause.]

Mr. SIMMONS. Mr. Speaker, I am not concerned nor worried about the personal attacks that have been made upon me. This editorial is a direct charge against the House of Representatives and that is the reason I brought it before you this morning. Anyone who knows anything about the issue involved in this matter knows that the editorial charge is grossly and deliberately false. [Applause.]

The SPEAKER. Under the order of the House, the gentleman from New York [Mr. LaGUARDIA] is recognized for 30 minutes.

THE NEED FOR NATIONAL LEGISLATION TO PREVENT PERMANENT UNEMPLOYMENT

Mr. LAGUARDIA. Mr. Speaker, I will take a little of the time of the House to-day because I want to call the attention of the House to a hearing which will be held to-morrow by the Committee on the Judiciary of the House on Senate bill 3060, to provide for the establishment of a national employment system, for cooperation with the States in the promotion of such system, and for other purposes tending to prevent unemployment.

This bill was introduced in the Senate by the junior Senator from my State [Senator WAGNER], who has given this subject a great deal of thought and study. The bill is a step in the right direction.

After the hearings were held by the Senate committee a brief was filed, which appears in the printed record of the hearings. This brief was filed by the National Association of Manufacturers in opposition to the bill to establish a national employment system, and their opposition is based allegedly on broad, constitutional grounds.

With the permission of the House, I will read at this point an analysis of the bill. The bill provides for an orderly, adequate, free employment service, nation-wide in scope, retention of local responsibility and management in the conduct of same, a maximum amount of uniformity, efficiency, and cooperation between the United States, and information as to unemployment.

Briefly, the bill provides:

1. Object: (a) The provision of a really adequate free employment service nation-wide in scope.
- (b) Retention of local responsibility and management in the conduct of same.
- (c) The maximum amount of uniformity, efficiency, and cooperation between offices.
- (d) Information as to unemployment.
2. Federal instrumentality created: The United States Employment Service is created as a bureau in the Department of Labor; the chief officer is to be a director general. All officers, employees, and assistants shall be appointed under civil service laws and paid under the classification act.
3. Method of operation: (a) Federal aid to States. Seventy-five per cent of the amount appropriated under the bill is made available for apportionment to the various States in proportion to population. In order to secure moneys so made available a State must match the Federal contribution.
- (b) Federal offices: Where States refuse to cooperate with the Federal Government the employment service may operate Federal employment exchanges without State cooperation.
- (c) Central office activities: (1) Make available information gathered from the system of offices as to work opportunities and persons unemployed.
- (2) Clearance of unemployed workers between offices.
- (3) The establishment of uniform procedure and standards.
- (4) Assistance in transportation of workers.
4. Methods of securing effective State cooperation: (a) A State must accept by an act of its legislature the provisions of this act before it can participate in the benefits under this act.
- (b) The State must submit its plans for the public employment system to the director general and secure his approval.
- (c) It must submit periodic reports on the basis of which the director general may determine whether the system is operating up to standard.
- (d) To secure the benefits of the act it must secure a certificate from the director general which may be revoked for cause.
5. Methods of securing industrial cooperation: (a) Through advisory councils, both Federal and State, composed of equal numbers of employers and employees.
- (b) By adhering to a policy of neutrality in labor disputes, impartiality, and freedom from politics.
- (c) Applicants for work must be given notice of strikes or lockouts, if any, in the work places to which they are referred.
6. Benefits to a cooperating State: (a) Grants in aid apportioned on the basis of population, which grants must be matched by an equal State appropriation.
- (b) Information collected from all cooperating offices.
- (c) Clearance service for workers.
- (d) Free mail privilege.
7. Temporary provisions: Section 10 makes possible several temporary adjustments for a period of three years until such time as this system can get under way.
8. Specialization offices: Provision is made for authority to operate offices for individual occupations and trades.
9. Appropriations authorized, \$4,000,000.

There are 13 sections to the bill, which, briefly stated, provide as follows:

Section 1. United States Employment Service: The United States Employment Service is created as a bureau in the Labor Department,

under a director general receiving a salary of \$10,000 per annum. The existing United States Employment Service is abolished.

Section 2. Civil service: A woman assistant director general and all other officers and employees and assistants shall be appointed subject to the civil service law and paid in accordance with the classification act.

Section 3 (a). Functions of the employment service: 1. To establish and maintain a national system of employment offices.

2. To cooperate in establishing and maintaining State employment offices.

3. To coordinate employment services throughout the country by:

- (a) Publishing information.
- (b) Maintaining a clearing system.
- (c) Establishing uniform standards of procedure.
- (d) Aiding in transportation of workers.

Policy of the service: Impartiality, neutrality, and freedom from politics.

Section 3 (b): The act shall be administered by the United States Employment Service. The cost of the administration shall not exceed 5 per cent of the amounts appropriated under this act.

Section 4. State acceptance: In order to receive the benefits of State-aid appropriations a State must accept the provisions of the act and designate an agency to cooperate.

Section 5 (a). Appropriations authorized: \$4,000,000.

Appropriations distributed: Seventy-five per cent for State aid in proportion to population; 25 per cent for administration (limited to 5 per cent under sec. 3 (b)); Federal employment offices and other functions of the Federal service.

State contributions: In order to receive a State-aid grant the State must appropriate an amount equal to the State-aid grant, which must be not less than 25 per cent of the amount apportioned to the State and not less than \$5,000.

Section 5 (b): Details in the expenditures of the moneys appropriated.

Section 6. Methods of appointment: The apportionment must be made within 60 days after an appropriation and the amount necessary for administration and the amount apportioned to each State must be certified to the Secretary of the Treasury and to the treasurers of the several States.

Section 7. Certification: Within 60 days after appropriation the director general must ascertain whether the State has accepted the provisions of the act, the amount appropriated by the State, and whether the State has complied with the requirements of this act. The director general shall then certify to the Secretary of the Treasury the amount to be paid to each State.

Section 8. Approval of State plans: In order to secure the benefits of this act the State must submit and secure the approval of its plans from the director general.

Section 9. State reports, revocation of certificates: State agencies shall make reports to the director general and the director general may revoke or withhold certificates if the State agency has not properly expended the money appropriated or paid to it. Appeal may be taken to the Secretary of Labor.

Section 10. Temporary provisions for a period of three years: (a) Where no State system of offices is in existence the director general may maintain a Federal system with funds apportioned to the State.

(b) Where there is a State system but no compliance with section 4, the director general may maintain a cooperative system by agreement with the governor of the State.

Section 11. (a) Advisory councils: The director general shall establish advisory councils of employers and employees.

Section 11. (b) Strikes and lockouts: Applicants for employment shall be given notices of strikes and lockouts.

Section 11. (c) Specialization offices: Under this act the director general may provide for the establishment of offices for individual occupations.

Section 12. Rule-making power: The director general with the approval of the Secretary of Labor, may make rules and regulations.

Section 13. Franking privilege: Postmaster General directed to extend the franking privilege to Federal offices and to cooperating State offices.

To this necessary piece of legislation there is strong opposition, as I have stated, from the Manufacturers' Association, and I am sorry to say also from some Members of the House.

Now, gentlemen, in this day and age, the argument that a provision by Congress to cooperate with the States on the question of unemployment is an infringement on the part of the National Government on States rights, it seems to me is so antiquated, is so much out of place as not to warrant serious consideration were it not for the fact that this particular organization, the Manufacturers' Association, we have learned in the past, is very powerful in shaping legislation.

As you will see from the bill, the purpose of establishing these employment agencies in each State is to bring about some sort of intelligent coordination in the placement of labor, to exchange information, and to regulate the flow of labor in the sections that have seasonal work.

The bill provides for cooperation with each State as such States will appropriate and establish their own local employment agencies; and in the absence of a State taking action and failing to provide, then it authorizes the director general for a period of one year to establish an employment agency in such State.

The manufacturers' brief points out, and, I think, capriciously, that such matters are purely local, matters purely for the State, and that the offer of the Government to contribute to State funds in order to carry on the work jointly is seductive and destructive of States rights. For the Federal Government to assist the State of Illinois to be informed of unemployment in New York, the brief argues, is an infringement on the rights of Illinois. For the national Government to establish a uniform system of employment agencies is unconstitutional according to the lawyers of the Manufacturers' Association. Such opposition based on constitutional grounds is not tenable and is not sound.

I want to call the attention of the House to the many activities that the Federal Government has been compelled to undertake by reason of changed conditions, changed methods of transportation, quick means of communications, growth of industry, close and intimate business relations overlapping State boundaries, all of which have created an economic unification of the country.

For instance, has it ever been questioned that it is proper for the Federal Government to submit weather reports from one State to another? Clearly, the weather condition in the State of Kentucky is purely a local matter, but yet the farmers of Illinois are concerned as to what the weather conditions are there and what the forecast may be for the next day. Has anyone questioned the power of the Federal Government or the right of the Federal Government to assist agriculture in obtaining information as to the amount of crops, wheat, cotton, and grain; purely a local State matter, if you please, but we have daily bulletins on the condition of the crops in each State for the general use of all of the States. Has it ever been questioned that in order to bring about comprehensive, uniform flood relief the Federal Government may go into one State and there spend public funds on construction of a work entirely within that State, because of the effect a flood in one State may have in another State?

Why, gentlemen, if the establishment of a national employment system is unconstitutional, then what would you call the farm relief bill that we passed? Surely that goes into each local State, provides funds for local cooperatives, and while many years ago such a law was not necessary, we found that we had to do something to cope with the situation. How about our Federal-aid highway system and vocational rehabilitation?

Then take our Public Health Service. How often do we send our public health officials into a State to conduct local research with respect to epidemics of disease that are purely local, as in the case of pellagra? We had no pellagra up in Maine or Vermont or New Hampshire, yet it was a matter of national concern. It was localized in some of the Southern States, and we sent the Public Health Service down into those States to make the research, and they were very successful.

So that in the economic mechanical age in which we are living, State lines can not be closely drawn. State rights, I am sorry to say, has too often been used as a weapon to prevent progressive legislation. In this instance many exploiters of labor may be found raising the cry of "State rights" and the Constitution in order to prevent the enactment of necessary legislation to control and abolish unemployment.

The constitutional limitations must necessarily be construed in the light of the day in which we are living. We can not take constitutional construction when the Constitution was adopted, when we had no railroads or telegraphs or steam, when we had no machines, no mass production, and expect the same limitations to be applicable to-day. In the early days each State was a distinct and separate Province, if you please; a State line was an actual boundary. Conditions were different in each State in those days. To-day we have radio, wireless, and airplanes, and an entirely new system of manufacturing—a machine age. The States have been welded into one economic unit. Unemployment in one State is a matter which concerns every other State.

I believe it is one of the most important functions of Government to deal with the question of employment and unemployment. There is the other school of thought which believes that unemployment is a condition to be taken advantage of to drag down wages and to lower labor conditions. This latter school is based on sordid selfishness and lack of vision. Progressive farsighted employers of labor see the advantage and necessity of continued employment, and many industries are

seeking to adjust their activities so as to avoid seasonal occupation and provide steady and uniform work throughout the year.

Now, gentlemen, just as we were compelled to go out and provide machinery and means for the Federal Government to cooperate with farm organizations to prevent exploitation of the farmer, so it is necessary for the Government to provide machinery and means to protect the labor market and not permit distress, destitution, and poverty resulting from unemployment to drag down the standard of living and the standard of wages.

In this day of machinery we have a progressive decrease in the number of men and women employed in industry. You can not prevent that—no one wants to stop the wheels of progress. Look at the labor-saving machinery of to-day. Years ago a subway construction, the digging of a canal, or building a railroad meant thousands and thousands of laborers. All of that is now done more or less by machinery—steam shovels, derricks, pneumatic drills and hammers, welding, and enormous constructions can be seen going on with very few men, most of the labor being performed by machinery and labor-saving devices.

It would not take one-twenty-fifth of the time to-day to build the pyramids that it did when they were constructed. It would not take one-seventh of the time or labor to dig the Suez Canal.

There is hardly an industry to-day that has not in one way or another increased its output and decreased the number of workers at the same time. Labor-saving devices are in every industry, in every office, reducing the number of employed. In the boot and shoe industry 100 machines take the place of 25,000 men. Just think of it. One man can now turn out 35,000 razor blades where in 1913 he could only make 500 in one day. This alone means one man doing the work of 70 because of improved machinery. It is now possible for 200 men using the last type machinery to turn out from 7,000 to 9,000 automobile frames a day. There is a plant so equipped in one of the Middle Western States. While not many years ago the same force of men could turn out but 35 or 40 of the same kind of frames. In steel blast furnaces, according to Mr. William Green, president of the American Federation of Labor, 7 men now do the work of 60 in casting pig iron, and since 1927 and within the last three years improved methods in the Bessemer process the necessary working force has been reduced by 24 per cent.

In machine shops where semiautomatic machines are used 1 man now takes the place of 25 skilled mechanics. Thirty workers with 10 machines can do the work of 240 in the Sun Tube Corporation machine shop, I am informed. A new machine installed by the De Forrest Radio Co. will turn out 2,000 tubes an hour with 3 operatives as against 150 tubes with the old machine and 40 workers. Just think of the old methods of making cigarettes and cigars and the improved machinery in use displacing thousands and thousands of workers. These labor-saving machines are not only found in the industries, in the shops and factories, but in the offices, banks, theaters, and even the homes. The movietone or sound picture has displaced thousands of musicians, who are walking the streets to-day. We can all visualize any large office or bank with its numerous employees adding columns of figures, others tabulating, and many copying records, all of which is now performed by machinery. Why, the office worker has been displaced by machinery almost to the same degree as the skilled worker in the factory. Only recently Members of Congress have had installed in their offices the new telephone dial, which will soon materially reduce the number of operators required for the same number of subscribers.

The other day down in Langley Field the National Advisory Committee on Aeronautics exhibited a machine which performed the highest kind of skilled mechanical work—a machine used in aeronautics to make what is known as an airfoil. It must be made of metal in order to avoid fluctuation and changes, and must be perfect in its measurements and form. Manufacturers could not afford to make them because of the time and great skill required. Now a machine using a wooden model has been devised, and it seems that the machine did everything but think. This machine alone performs in an 8-hour day with one mechanic hundreds of labor hours of work.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. JOHNSON of Washington. Has the gentleman thought of the long, enormous railroad trains of 175 freight cars hauled by electric locomotives, which cut down the crews?

Mr. LAGUARDIA. Yes; not only reducing the number of train crews and other personnel, but also reducing the fuel that was required, thereby displacing men in the mines. This is the same with use of electricity generated by water power or in the case of oil pumped thousands of miles in pipes—all resulting in less men at work.

Mr. JOHNSON of Washington. And on top of that the proposed gigantic mergers of trunk-line railroads will further cut down employment.

Mr. BRUMM. Will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. BRUMM. Has the gentleman looked into the number of people who are employed in making electric motors and the people that operate them?

Mr. LA GUARDIA. The number of men employed in making labor-saving devices is a negligible percentage of the number of workers these same machines displace. No, that does not offset the loss of labor by any means. The only method of meeting mechanical changes is by a complete change in our system of labor, hours of work, and factory conditions. I will touch upon that in just a minute.

Mr. BRUMM. Hundreds of thousands are employed in making them.

Mr. LA GUARDIA. True; and many in repairing and maintaining them. As I have just stated, the number is negligible in comparison to the number of workers displaced. We can not and do not want to stop progress, but we must adjust ourselves to the mechanical age and provide accordingly. We must not ignore our responsibility, nor can we dodge it. As mechanics improve economics must change—labor as well as capital must receive the benefits of machinery. The time to solve unemployment problems is when we have no unemployment, and not when we have unemployment. That is far-seeing constructive legislation, and I say that American labor will refuse to lower its standard of living and will refuse to fall in line at a charitable soup kitchen. Although we have at the present time unemployment we must not only meet the situation but must give this question serious study in order to provide means to avoid repeated periods of unemployment. An economic system which carries cycles of unemployment certainly requires some change. There is no more justification for unemployment in this day and age than there is for epidemics of preventable disease. As sanitation wiped out malaria so must constructive legislation abolish unemployment.

Mr. BOYLAN. Mr. Speaker, will the gentleman yield?

Mr. LA GUARDIA. In a moment. I call the attention of the House to the fact that we have repeatedly tried in many States to solve this problem and that it is impossible for one State to solve it unless every other State comes up to the same standards. Many States have provided up-to-date factory laws, have limited the hours of labor, have provided against the employment of children, only to find the minute they do so they are met by unfair competition from other States that refuse to keep abreast of the times.

Mr. WAINWRIGHT. Mr. Speaker, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. WAINWRIGHT. I call my colleague's attention to the fact that he may have overlooked, that 20 years ago the State of New York through a commission considered this whole question of unemployment and arrived at the conclusion that in default of finding jobs, the most effective thing was through a system of employment agencies, and they ran right up against the problem that employment agencies in one State, without the cooperation of the Federal Government, or the United States, would be ineffective.

Mr. LA GUARDIA. Yes; I want to add right here, because my colleague from New York is too modest to say so, that Colonel WAINWRIGHT, who was then a State senator, was the chairman of that commission, a most exhaustive study was made of the problem of unemployment. The commission submitted many sound and constructive recommendations. Many of the remedies then suggested have been put into effect in the State of New York. Many other changes require uniform action in all States. As to national employment agencies, the able New York legislative commission of which Colonel WAINWRIGHT was chairman, as far back as 1911 recommended the need of just such a plan as Congress should consider. I read from page 55, Appendix No. 1, Report of Committee on Unemployment, New York State Employers' Liability Commission, Second and Third Reports and Evidence, April, 1911:

We must conclude that unemployment is a permanent feature of industrial life everywhere. It is a risk to which our wage earners are constantly subjected. A reserve of labor is needed to meet the fluctuating requirements of industry. There must be unemployed people ready to begin work when the busy seasons come, when employers want to extend their operations, when extra hands are needed anywhere.

Although the normal development of our industrial system makes this unemployment necessary and inevitable, the State of New York assumes no responsibility toward the able-bodied unemployed. No organized attempt is made to prevent suffering and degeneration among those who have to act as reserves in our industrial army. Only when

the unemployed have become sick, disabled, and pauperized, when they apply for admission to a charitable institution, or when they have become homeless and criminal and are arrested for vagrancy or breaking the law—only then do our public authorities take any notice of them. While foreign governments are devising and establishing agencies to prevent unemployment as far as possible and to provide against the degradation of those who have to be unemployed, our State is content to allow the idleness to have its full effect. Instead of helping the unemployed to remain or become self-supporting, our policy is to establish State and philanthropic institutions to take care of them when they are no longer able to provide for themselves.

Now I will read an interesting extract from the same report, which will show that as far back as 1908 the Federal Government was actually doing what to-day we intend doing, and is being opposed on the ground that such activity is unconstitutional and an infringement of State rights. The report says:

There are two government agencies in this State, part of whose work is to secure places for unemployed wage earners. One is national, the division of information of the United States Bureau of Immigration, and the other is the bureau of information and statistics of the New York State department of agriculture.

The Federal division opened its office in New York early in 1908. There are branches also in Baltimore, Galveston, and Chicago. The law which created the division states that it shall gather information with regard to opportunities for work in all parts of the Union and to give this information to immigrants and to all others who may apply. It was designed mainly as a means of distributing the immigrants. The work of the bureau is greatly facilitated by the franking privilege which it enjoys. Inquiries are sent to rural post offices, with instructions to distribute them to the farmers. These are requested to fill out the blanks with regard to the opportunities for work in the neighborhood. The office is thus able to use the postmasters as correspondents who send in information as to the conditions in each county throughout the country.

Unfortunately the work of free employment offices in the United States has been hampered by politics in the management and by inadequate appropriations. * * *

Not the least of the value to be gotten out of the public employment offices is the information they might give regarding the extent of unemployment, the causes, and the remedies that are needed. The inadequate appropriations have prevented most of our offices from hiring the clerical force needed to keep records. * * *

The experience of England with employment exchanges is referred to in the same report. The reference made in 1911 is indeed of interest to-day.

The labor exchange act was passed by Parliament in September, 1909. It met with practically no opposition. Experience under the unemployed workmen act showed its necessity and both the majority and the minority of the royal commission on the poor laws had recommended a national system of labor exchanges. The first exchanges were opened in February, 1910, so that their results could hardly be judged at the time of our visit, which was only six months later.

The law on which the system of exchanges is based is very simple, merely giving general powers to the board of trade to establish, take over, and maintain labor exchanges, and to make regulations for their management. Any regulations so made have the effect of law. Two sets of regulations have thus far been made under the act. The first was general, relating to registration, policy in time of strikes, advances of transportation, advisory committees, etc. The second related particularly to juvenile applicants for employment. The number of exchanges and where they were to be located was not fixed. This, too, was left to the board of trade.

The labor exchanges are conducted by the labor department of the board of trade. The president of the latter is a member of the cabinet, the director of the exchanges is a subordinate of the head of the labor department. All the expenses are paid out of parliamentary funds.

There is a central office in London which directs the work of the whole system of exchanges. Its work is purely that of organization and administration. Mr. Beveridge presides over the central office, and under him there is a general manager and a woman supervisor, whose activities cover the whole country. The country is divided into 11 divisions, each under the control of a divisional officer whose office acts as a clearing house to arrange the transfer of workers from one part of the country to another. The divisional officers are the responsible heads in each division and the selection of the office force is left in their hands. All appointments, however, must be passed on by the Director and approved by the president of the board of trade.

That is exactly what we are seeking to do in this country. Senate bill 3060, introduced by Senator WAGNER, of my State, answers the purpose fully.

Mr. CLARKE of New York. And is not the very argument the gentleman is making carrying out in permanent form the policy of the President of the United States when he called the governors of the States and the industrial leaders and the

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labor leaders into a meeting to meet a condition that was temporary, when it ought to be made permanent by the Government itself; and BOB WAGNER is entitled to the highest praise for his measures. [Applause.]

Mr. LAGUARDIA. That is why I am supporting his bill. As the gentleman from New York [Mr. CLARKE] has just pointed out, the President of the United States has pointed the way. It is up to Congress, though, to follow up. We must take the initiative in solving this great national problem. First, Congress must enact all the necessary legislation over which the Federal Government has jurisdiction. Then we must do everything possible to crystallize public opinion on the subject. Third, we must provide ways and means of doing officially everything which the President is now seeking to do with volunteers and voluntary cooperation. Fourth, we must strive to bring about uniform State laws dealing with labor, factory laws, employment of children, old-age pensions, and unemployment insurance. In many of these subjects Congress has no jurisdiction; they are purely State matters. We can and must, through proper influence, aid and, by financial cooperation, bring about in each of the States such laws, conditions, and changes as to establish uniformity. The President did call in unofficial conference the governors of the States and the industrial leaders; but this matter can not be permanently solved by proclamations or by good will or by desire. Something concrete must be brought about. The gentleman from Massachusetts [Mr. GIFFORD] a few weeks ago pointed out to the House the necessity of uniform labor laws controlling the hours of labor and the number of days in a week, controlling child labor, and urging the necessity of uniformity in these laws in every State of the Union. Mr. James Dunn, of the New Bedford Times, wrote a very able editorial on the subject. Massachusetts is indeed in a position to speak. That State has sought to enact progressive labor legislation only to find itself penalized by having her industries attracted to other States which refuse to enact similar beneficial legislation.

What good does it do if one or more States seek to solve the problem of the machine age by reducing the hours of labor in order to employ more workers if other States refuse to do likewise and attract the industries within their own borders, thereby continuing the calamity of unemployment with its attendant poverty, misery, and distress? The hours of labor is one of the first matters in uniformity which must be brought about. I will read Mr. Dunn's letter and my reply:

THE NEW BEDFORD TIMES,
New Bedford, Mass., May 23, 1930.

HON. FIORELLO H. LAGUARDIA,
The Potomac Park, Washington, D. C.

DEAR CONGRESSMAN LAGUARDIA: I desire to call your attention to the inclosed reprint of my editorial in the New Bedford Times of May 19, "Disease and Cure."

The points brought out in that editorial are strictly in sequence to the principles developed in the two former letters which I sent to you and your associates in the entire membership of both Houses of Congress under dates of December 6, 1929, and January 17, 1930.

I must call to your attention as forcefully as possible that no problem considered by Congress can ever be more important than the reassuring of earning power to our present vast and increasing numbers of unemployed workers. I might add that the great majority of measures coming before both your Houses are of far less value than the diligent consideration and solution of this question. For in last analysis every item of our national advance—regained prosperity, security, and success—must depend on the measure in which we replace stable earning power in the hands of our willing and capable workers, now unemployed in increasing numbers and with steadily decreasing expectation of being again in possession of occupations insuring their livelihood.

I would mention that I have not only twice called this whole matter to your attention and to that of all other Members of both Houses of the Congress as above mentioned, but I also appeared personally before the committee on constitutional law of the Massachusetts General Court, February 3, 1930, urging the delivery by the general court of a memorial to Congress supporting a constitutional amendment to enable your Houses to legislate for equal hours in all American industry.

I would remark in closing that no effort made by any Member of either House in the Congress will ever assume such capital importance in the eyes of our people as a bona fide stroke at once for the righting of the present unbalanced condition of industry, machinery, and human labor throughout the United States.

Equal hours in industry must be the answer.

The wise national legislator is the one who acts, and acts without delay, on that conviction.

Very respectfully yours,

JAMES DUNN, Editor.

THE NEW BEDFORD TIMES,

Times Building, New Bedford, Mass.

GENTLEMEN: I beg to acknowledge receipt of your letter of May 23, 1930. You hit the nail right on the head.

We must have uniformity of labor laws. We are now suffering from the very condition you seek to remedy. Child labor, liability compensation, factory hours, and income tax have all been provided by progressive and enlightened States. States refusing to keep abreast of the times advertise that fact, attracting industries, and thereby competing with industries which are seeking to give labor a square deal.

Rest assured I will do everything within my power to bring about uniformity of laws or through a constitutional amendment, as you suggest. I fear Congress will not awaken to this necessity, nor will politicians of either party until we go through a crisis of the worst kind. Nothing can stop it unless something constructive is adopted in the immediate future.

Very truly yours,

F. H. LAGUARDIA.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. GIFFORD. I wish to say to the gentleman that I very much appreciate his remarks at this time, as I once requested of him to take up this matter, and he had already planned to do it. I would gladly cooperate with him in the movement he is advocating. I regret that he is not hopeful of a constitutional amendment. England has a 48-hour law and no night work. Only through Federal action can this be fully brought about in the United States.

Mr. LAGUARDIA. There are two ways this can be brought about, either by constitutional amendment giving the Federal Government jurisdiction—and at the present state of mind of the American people I see no hope of getting such a constitutional amendment—or by providing machinery and crystallizing public opinion in every State so as to bring about the enactment of uniform State laws. Carrying out the way pointed out by the President of the United States, I am introducing a resolution authorizing the President of the United States to call a conference on uniform labor laws, and to invite each State to send two delegates to this conference. Of course, the conference could only make recommendations, but this is necessarily a slow process. A start must be made. I provide in my resolution—

That the President of the United States be, and he hereby is, authorized to extend an invitation to each of the several States, Porto Rico, and the Territories of Alaska and Hawaii, to participate, in the manner hereinbelow set forth, in a national conference for the purpose of drafting model labor and social welfare laws, to be submitted to the respective States for their consideration.

SEC. 2. The President of the United States is authorized to invite each of the several States and Territories to send two delegates to attend said conference herein provided, at such time and place as he may elect.

SEC. 3. Said conference shall be opened by the President of the United States and shall then proceed to organize and elect its own officers and formulate its own rules. Immediately thereafter it shall proceed to the consideration of model laws to be submitted to each of the States for their respective consideration on the subject of daily hours of service, number of days in the working week, factory laws and regulations, employment of children, employment agencies, unemployment insurance, old-age pensions, and any subject it may deem related and pertaining to labor conditions and the prevention of unemployment.

SEC. 4. Each delegate shall receive the same mileage expense allowed to Members of the House of Representatives and shall receive \$20 expense allowance per diem.

SEC. 5. On completion of the work of the conference, which shall not exceed 100 conference days, the findings will be submitted by such conference to the legislatures of the respective States, Territories, and insular possessions; thereupon the President of the United States shall issue a proclamation announcing the termination of the said conference and recommending to the respective States their earnest consideration of the recommendations made by said conference.

SEC. 6. The Comptroller General of the United States shall assign an employee to act as the disbursing officer for the said conference and such additional employees as he may deem necessary to disburse and keep the accounts of said conference, and the President shall designate a clerk and such additional employees, clerical assistants, stenographers, messengers, and pages as he may deem necessary by assignment from any department of the Government or by special appointment, in which case he shall fix their respective salaries. There is hereby authorized to be appropriated, out of the Treasury of the United States, such amount as may be necessary to defray expenses of the said conference.

It will be noted that the conference is official and all expenses paid by the Federal Government. The governors would surely appoint competent delegates and the recommendations made would surely be seriously considered by the various States. Such a conference would bring forth the best thought on the subject in the country and I believe would be the starting point for the changes necessary to prevent the curse of unemployment.

Mr. KVALE. Mr. Speaker, will the gentleman yield?

Mr. LA GUARDIA. In a moment. Upon the termination of the conference, which I provide shall not exceed 100 conference days, the President, by proclamation, would submit the findings of the conference to each of the States for their respective consideration.

Mr. BOYLAN. Mr. Speaker, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. BOYLAN. Does not the gentleman think that the Government has been remiss, as is shown by the Navy Department laying off men in the Navy yards at Philadelphia, New York, and Boston, at the very time when we ought to give employment?

Mr. LA GUARDIA. I am speaking from a broader sense. Unemployment in the navy yard is only one of the symptoms of the evils I am speaking of. When we solve the problem we will be able to absorb navy-yard surplus labor. It is indeed a sad commentary if we must build battleships and go to war in order to solve our unemployment difficulties. I do not believe in going to war to kill off labor in order to reduce unemployment.

I am trying to prevent such antiquated, inhuman conditions, and deal with the subject in a constructive and enlightened way. Of course, there is unemployment in many factories, in many industries, and there is unemployment in some of the Government arsenals. If we have such a conference I believe that public opinion could be so crystallized back of a program of uniform laws as to bring the enactment of such laws into nearly every State of the Union.

Mr. KVALE. Will the gentleman consider adding to his resolution for the conference the specific charge to inquire into the extent to which middle-aged and old men are employed?

Mr. LA GUARDIA. That would be covered under old-age pensions, because we know now, in this machine age, with the surplus man power that we have, a man 45 years of age has difficulty in getting a job, and a man 50 years of age can not find a job, and a man 55 years of age is left out entirely.

Mr. MOUSER. Mr. Speaker, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. MOUSER. Is it not just as much the duty of the Government to make a survey as to unemployment as to make one with respect to agriculture?

Mr. LA GUARDIA. Yes. I think the results that would follow from the passage of S. 3061 and S. 3060 would give us valuable information. At the present time we have private and local surveys. I think every man in the House must know, from the pressure and the information he receives from home, that there is a vast amount of unemployment in every section of the country. It is a national problem. I have heard some say that my resolution is too novel and startling, if you please. I therefore hope the country will have time to consider it and realize that it is a practical way of dealing with this subject. When we come back in December I hope my conservative friends in the House will see the necessity of doing something concrete now to provide the machinery and the means of avoiding unemployment.

And, gentlemen, unemployment can be avoided. The problem can be solved. Changes in labor conditions must be as drastic as improvements in machines. We must soon get to a shorter day and a shorter week. Do not tell me that industry can not afford it. The preservation of national contentment and existence demand it. An industry that can not afford to pay labor an adequate living wage has no right to exist, because industry can not exist without labor. A nation must see to it that its people are usefully and profitably employed. We can not stop the use of machinery, but we can by legislation enact laws which will enable American citizens and human beings to live decently. [Applause.]

Gentlemen, surely legislators must be able to display the genius of the age in which we are living. Can it be said that while mechanics, electricity, chemistry are striding forward legislation is unable to move? I refuse to concede any such legislative atrophy. What good is progress, science, and invention if they are not to be used for the benefit of all the people? What good is it to a country in the long run if millions of dollars of profits are made by industries if at the same time millions of men, women, and children are starving by reason of unemployment. We must, as legislators, face the situation and as new methods of production are brought forth be ready

to improve conditions of labor. We must make a start, and we must do so promptly. An unemployed man with hungry children to feed and unable to do so though willing and able to work should not and must not exist in this country. With shorter hours, a shorter week, care for the aged, abolition of child labor exploitation, the unemployment can be solved. We can no longer simply deplore existing conditions and wait for better times to come. We must do something about it. I have here outlined the minimum program. The thing to do is to get started. [Applause.]

Mr. LEAVITT. Mr. Speaker, will the gentleman yield there?

Mr. LA GUARDIA. Yes.

Mr. LEAVITT. During the World War the Government built up an employment agency, as the gentleman will recall.

Mr. LA GUARDIA. Yes. That is the most discouraging part of this whole problem. In war time we can concentrate all the power of the Government, all the resources of the Government, to prepare to efficiently and successfully kill people and destroy property, but in peace times we are confronted with all sorts of restrictions and limitations and constitutional arguments when we try to keep people profitably employed and make them healthy and happy. [Applause.]

REPRESENTATIVE ROBERT LUCE

The SPEAKER. The gentleman from Nebraska [Mr. HOWARD] is recognized for five minutes.

Mr. HOWARD. Mr. Speaker, many are the moments of happiness vouchsafed me here in presence of this galaxy of superior mentalities in the realms of erudition, oratory, and statecraft, and the happiest of moments is when I am privileged to discover in one of our colleagues some new evidence of his rare and scintillating genius.

I have made one of those happy discoveries. I found it in this morning's Washington Post, carrying report of an address made last evening before the National Grand Old Party Club by our colleague from Massachusetts, Mr. ROBERT LUCE. In that address the speaker lauded President Hoover to heights not hitherto attained by any mortal, averring that the Nation's present unexampled era of prosperity is wholly due to the wise workings of the presidential mind.

Mr. Speaker, perhaps none within these walls has failed to observe the vast erudition of the gentleman from Massachusetts. America does not hesitate to accord him a place near the top of parliamentarians, living and dead. As an author, he is voluminous; as a logician, profound; as a legislator, alert and able. In the ranks of the spellers he had held first place above all others for more than a half century until quite recently, when, regardless of the plain dictates of Puritan propriety, and in a pitiless public light, he fell down on a kimono.

And now, since the delivery of that masterful address to the National Grand Old Party Club last night, the usually sedate and ponderous statesman from the rim of Plymouth Rock must be accorded a place as first among his equals in the ranks of humorists. None had expected it, and for that reason the knowledge of it comes refreshingly. Let me read once again the newspaper headlines: "Luce lauds Hoover. Avers prosperity is due to Hoover."

While the appearing of this new and most brilliant star upon the sky of humor is rapturously applauded by an appreciative world, yet I hesitate to participate loudly in the applause, realizing, as I must, that with the rising of this brilliant humoristic meteor from Massachusetts must quickly go down to oblivion that trinity of lesser humoristic lights so loved by all mankind—Will Rogers, Amos, and Andy. And so, while not entirely withholding my meed of applause for the living LUCE, my sympathy flees to the bedsides of those three former great ones in the realms of humor—Will Rogers, Amos, and Andy—as suddenly they find themselves hurled from the highest pinnacles of popularity to the open door of oblivion by the coming of this master of humor from Massachusetts. [Laughter and applause.]

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 976. An act providing that subscription charges for newspapers, magazines, and other periodicals for official use may be paid for in advance.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 4046. An act authorizing the erection, maintenance, and use of a banking house upon the United States military reservation at Fort Lewis, Wash.

The message also announced that the Senate agrees to the amendments of the House to the bills of the following titles:

S. 3898. An act granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct,

maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith; and

S. 3950. An act authorizing the establishment of a migratory bird refuge in the Cheyenne Bottoms, Barton County, Kans.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3619) entitled "An act to reorganize the Federal Power Commission," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. COUZENS, Mr. WATSON, and Mr. PITTMAN to be the conferees on the part of the Senate.

LEAVE OF ABSENCE TO SUBSTITUTES, POSTAL SERVICE

The SPEAKER. The Clerk will call the Consent Calendar. The first business on the Consent Calendar was the bill (H. R. 3087) granting leaves of absence with pay to substitutes in the Postal Service.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter substitute post-office clerks, substitute city letter carriers, and substitute railway postal clerks shall be included in all acts granting leaves of absence with pay to postal employees.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That hereafter, when substitute postal employees have worked a total of 1,224 hours, they shall be entitled throughout their period of substitution in each fiscal year to leave with pay at the rate of one and one-quarter days for each 204 hours' service rendered; and sick leave with pay at the rate of five days for each 1,224 hours' service to be cumulative throughout period of substitution and continued, if not used, to the credit of the substitute after his appointment to the regular force."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SHORTER WORK DAY ON SATURDAY FOR POSTAL EMPLOYEES

The next business on the Consent Calendar was the bill (H. R. 6603) to provide a shorter work day on Saturday for postal employees, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRAMTON, Mr. HOCH, Mr. BELL, and Mr. McCLINTIC of Oklahoma objected.

The SPEAKER. Three objections are made and the bill is stricken from the calendar.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to proceed for one minute in connection with the bill to which objection has just been made.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. TILSON. Mr. Speaker, there were two bills on the Consent Calendar to-day, relating to either a Saturday half holiday or to a less number of hours per week for Government employees. To one of these objection has just been made. There is another bill; I think it is No. 570 on the Consent Calendar, which refers to the same general subject of shorter hours per week for other employees of the Government. In view of the probable objections to this bill, as were indicated by a minority report having been filed against it, and the probable objection to the subsequent bill of the same character for the same reasons, I have asked the President to have made, through the Director of the Budget, a survey of this subject, in order to consider the feasibility and the additional cost of the legislation, whether the present service can be continued without serious curtailment, or without too serious additional cost, and to report to Congress at the beginning of the next session of Congress. My request for this survey covered all the employees of the Government.

Mr. KENDALL of Pennsylvania. Will the gentleman yield?

Mr. TILSON. I yield.

Mr. KENDALL of Pennsylvania. Will that include postal employees?

Mr. TILSON. Yes; surely.

Mr. KENDALL of Pennsylvania. It is not in the bill now.

Mr. TILSON. But it is in the bill that has just been objected to.

Mr. KENDALL of Pennsylvania. Just for the postal employees; but the other bill includes all employees of the Government except postal employees.

Mr. TILSON. I have asked that a survey be made of the entire field, so that all Government employees may be treated substantially alike so far as practicable. Without objection, I should like to read into the RECORD the acknowledgment of my request, so that it may be a matter of record.

This will acknowledge receipt of request which you made the other day that a study be made by the Director of the Budget and other governmental agencies as to the feasibility, practicability, and additional cost, if any, of the legislation now pending in the House providing for a Saturday half holiday of governmental employees, or a 44-hour week.

This matter has been considered and such a study will be made in accordance with your suggestion, to be ready and available when Congress convenes next December.

Sincerely yours,

WALTER H. NEWTON,
Secretary to the President.

Mr. BLANTON. Will the gentleman yield?

Mr. TILSON. I yield.

Mr. BLANTON. There is a bill pending which seeks to grant to all employees of the Government everywhere in the United States a half holiday on Saturday during the hot summer months, which half holiday is now enjoyed by all of the Government employees here in the District of Columbia. Is there any chance of passing that bill before we adjourn?

Mr. TILSON. I have asked that this entire matter be studied and reported upon by the Bureau of the Budget, which has the closest possible relations with all the different services of the Government, so that all employees of the Government may be treated fairly and with substantial equality so far as practicable.

Mr. BLANTON. Yes; but if we are going to give a half holiday on Saturday during the hot summer months to all of the Government employees in the District of Columbia we should likewise give it to all employees of the Government everywhere in the United States, which embraces all of the postal employees of the Government.

Mr. TILSON. I desire that a study of the entire matter be made before we meet again next December. Summer is now coming on and many of the Government employees have a Saturday half holiday already during the summer months.

Mr. BLANTON. But those outside the city of Washington do not have a half holiday on Saturday during the hot summer months.

Mr. TILSON. They are to be included in this study, so that if possible all may be treated alike.

The SPEAKER pro tempore (Mr. MICHENER). The time of the gentleman from Connecticut has expired.

Mr. HOCH. I ask unanimous consent to proceed for one-half minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HOCH. Mr. Speaker, I would like to say that I offered an objection to this bill because of the necessity of this survey in order that we might know just how the various branches of the service would be affected and how much it would cost. That was the reason for my objection, and not because of any belief formed against the principle itself of the bill. I believe that survey should be made; I knew it was going to be made, and for that reason I felt that this is not a measure to be acted upon by unanimous consent. It should come up when we have all the facts and the bill can be considered on its merits under the rules of the House.

SALARY GRADES, MECHANICS' HELPERS

The next business on the Consent Calendar was the bill (H. R. 9227) to establish additional salary grades for mechanics' helpers in the motor-vehicle service.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 6, paragraph 3, of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925 (43 Stat., p. 1060; U. S. C., title 39, sec. 116), and the act entitled "An act to allow the Postmaster General to promote mechanics' helpers to the first grade of

special mechanics," approved May 29, 1928 (45 Stat., p. 998; Supp. III, U. S. C., title 39, sec. 116), are hereby modified to read as follows:

"The salary grades of mechanics' helpers employed in the motor-vehicle service shall be \$1,600, \$1,700, and \$1,800 per annum: *Provided*, That original appointments shall be made to the \$1,600 grade, and promotions shall be made to the next higher grade at the beginning of a quarter following one year's satisfactory service in each grade: *Provided further*, That after one year's service in the \$1,800 grade mechanics' helpers may be promoted to the first grade of general mechanics or special mechanics, as vacancies occur: *Provided further*, That this act shall be effective July 1, 1930."

With the following committee amendment:

On page 2, line 13, after the word "may," insert the following: "in the discretion of the Postmaster General."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MOUNT MCKINLEY NATIONAL PARK, ALASKA

The next business on the Consent Calendar was Senate Joint Resolution 155, to provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That a mountain or peak, unofficially known as Copper Mountain, located at the headwaters of the Mount McKinley River, lying in a northeasterly direction from Mount McKinley National Park, Alaska, is hereby permanently named Mount Eielson in honor of the pioneer work in aviation performed in Alaska and the north by Carl Ben Eielson.

The resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the resolution was passed was laid on the table.

UNITED STATES NAVAL HOSPITAL, WASHINGTON, D. C.

The next business on the Consent Calendar was the bill (H. R. 9676) to authorize the Secretary of the Navy to proceed with certain public works at the United States Naval Hospital, Washington, D. C.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I have an amendment to suggest which I understand is agreeable to those in charge of this legislation. This bill proposes a large medical-unit development at the Naval Hospital. Adjacent to that is to be constructed very soon the national headquarters of the Pharmaceutical Association of the United States, also the Public Health Service building, and it seems to me it is highly desirable, if possible, to bring together there other medical activities, possibly the Army Medical Museum and Library and other things. In order that there may be some unity of thought in all of that building program, I am asking that a provision be incorporated—which I have discussed with Mr. Wetmore, the Supervising Architect—so that the construction will be subject to the approval of the Public Buildings Commission and the plans submitted to the Fine Arts Commission. I will offer that amendment if the bill is taken up for consideration.

The SPEAKER pro tempore. Is there objection?

Mr. McCLINTIC of Oklahoma. Mr. Speaker, reserving the right to object—and I do not intend to object—I simply want to say that an agreement has been made between certain proponents of the bill and myself with respect to certain amendments; and following the terms of that agreement, I do not object and will offer two amendments to the bill which have been agreed upon.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Illinois a question.

Mr. WOODRUFF. If the gentleman will direct his questions to me, I will be glad to answer them.

Mr. BLANTON. I would like to know what is going to be the ultimate maximum limit of cost which is going to be approved by the gentleman and his committee in reference to this hospital?

Mr. WOODRUFF. I will say to the gentleman from Texas that the gentleman from Oklahoma proposes to offer in due time an amendment to the bill reducing the authorization from \$3,200,000 to \$1,500,000. That amendment meets the approval

of the committee, and I am authorized to say that the committee will be glad to accept the amendment.

Mr. BLANTON. I am not going to object, but I just wanted an understanding. The amendment will mean nothing if it is the intention of the committee later on to go ahead with the plans just as if this amendment were not adopted and then provide additional appropriations later.

Mr. WOODRUFF. My friend from Texas will realize that no Member of this House can look into the future and see the demands to be made by any department of this Government.

Mr. BLANTON. Is not it a fact that hospital can not be built for the \$1,500,000?

Mr. WOODRUFF. I have not the slightest idea that it can.

Mr. BLANTON. Does not the gentleman know that if the purposes of the committee are carried out the full amount now carried in this bill will be required?

Mr. WOODRUFF. Undoubtedly it will ultimately.

Mr. BLANTON. Then why the amendment? Why take two bites at the cherry?

Mr. WOODRUFF. I am glad to say that the only member of the committee, so far as I know, who opposes this bill as it was originally written, is the gentleman from Oklahoma. The Naval Affairs Committee always seeks to come before the House with unanimity on any proposition. We always try to bring in legislation that has the unanimous support of the committee, and we do that whenever it is possible. The gentleman will understand why the committee has yielded in this instance.

Mr. BLANTON. If it is necessary to build a hospital it ought to be built right, and I do not see why we should adopt the amendment.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to replace, remodel, or extend existing structures and to construct additional buildings at the United States Naval Hospital, Washington, D. C., at a cost not to exceed \$3,200,000, of which \$250,000 shall be charged to the naval hospital fund.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McCLINTIC of Oklahoma: On page 1, after the word "to," in line 3, strike out the words "replace, remodel, or extend existing structures and to construct additional buildings," and insert "construct suitable buildings for hospital purposes."

Mr. McCLINTIC of Oklahoma. Mr. Speaker, this amendment simply changes the phraseology so that the amount appropriated can be used to construct suitable buildings for hospital purposes.

Mr. LAGUARDIA. What are you going to do with the existing buildings?

Mr. McCLINTIC of Oklahoma. Such existing buildings as are not necessary to be torn down can be utilized.

Mr. LAGUARDIA. With the gentleman's amendment we could not spend one cent for repairs.

Mr. McCLINTIC of Oklahoma. It is not necessary at this time to repair any of the existing buildings, and if that becomes necessary we will then authorize such repairs as should be made.

Mr. LAGUARDIA. All right, but just a moment; let the House understand what it is doing. The gentleman then would want \$3,200,000 exclusively for new buildings and would pay for repairs out of special appropriations.

Mr. McCLINTIC of Oklahoma. The gentleman is in error, because I have another amendment following which reduces the amount to \$1,250,000.

Mr. LAGUARDIA. Of course, I have no means of knowing what the gentleman has in his pocket.

Mr. STAFFORD. Will the gentleman yield?

Mr. McCLINTIC of Oklahoma. Yes.

Mr. STAFFORD. Has the gentleman or the Committee on Naval Affairs any information as to costs submitted for the construction of this proposed hospital building?

Mr. McCLINTIC of Oklahoma. I want to say to the gentleman that at the present time the Navy has 7,284 beds in naval hospitals. The peak load for 1929, including 2,917 veteran patients, was 5,892. The \$15,000,000 recently appropriated to construct additional hospitals for veteran patients will provide additional facilities for 3,900 patients. Therefore, should the 2,917 veteran patients now being taken care of by the naval hospitals be withdrawn, there would be left 3,300 vacant beds in naval hospitals.

It was my idea that this amount of money would take care of 400 or 500 additional patients and would be sufficient for the present needs of the Navy and it would not be necessary to authorize the construction of any more naval hospitals until after the Veterans' Bureau program had been carried out, to see whether or not we needed additional facilities.

Mr. STAFFORD. If the gentleman will permit, as I read the report the end in view was not only to provide hospital quarters, but the main idea was to have constructed there a replica, if I may use that term, of the Walter Reed Hospital, with laboratories, classrooms, dental apartments, and so forth. Now, the question that rises in my mind at this moment is whether \$1,500,000, or whatever amount the gentleman proposes to place as a limit of cost, is going to be enough to adequately carry out the real purpose of the Navy Department. I was in sympathy with the idea that the Navy Department should have a companion establishment for their medical activities to the Army at Walter Reed—not a hospital alone, but a center for all the medical activities connected with the Navy down here on the Potomac at the present site. I would think the gentleman is circumscribing, and virtually more than circumscribing, the real purpose that the department had in view and that the committee originally had in view in making recommendation for a limit of cost of \$3,200,000.

Mr. VINSON of Georgia. If the gentleman will permit, I will state to the gentleman from Wisconsin that it is the intention of the Navy Department to use this hospital as a medical school in connection with the hospital facilities there, and for that reason the Navy Department submitted plans and specifications that would call for an expenditure of three and a half million dollars, but after the matter was threshed out in committee and after agreements had been reached the committee now comes in and asks that we only appropriate \$1,500,000.

Mr. STAFFORD. What has possessed the great Committee on Naval Affairs, reputed throughout this House and throughout the country as being overgenerous with appropriations, to now in the closing days of the session, all of a sudden, become parsimonious as to this humanitarian work?

Mr. VINSON of Georgia. As the gentleman well knows, this bill is on the Consent Calendar and we must have unanimous consent for its consideration.

Mr. PARKS. Mr. Speaker, I ask for the regular order.

Mr. STAFFORD. This is the regular order. The objection stage has been passed and we are discussing the bill in the regular order.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word and yield to the gentleman from Oklahoma.

Mr. McCLINTIC of Oklahoma. It is always my desire to give every department of the Government sufficient hospital facilities to take care of its needs. At the present time we have only about 100 hospital patients in the naval hospital at Washington that come from the Navy. The others come from the Veterans' Bureau. It has always been my thought that every bureau ought to hospitalize its own patients, and in view of the fact that \$15,000,000 has been appropriated and hospitals are now either under construction or have been authorized, this simply means, according to the testimony given before the committee, that when these hospitals are available, under the control of the Veterans' Bureau, they will withdraw a certain number of patients that are now being hospitalized in the naval hospitals. So it was my thought that \$1,500,000 provided for at the present time would be sufficient, taking into consideration the fact that we have several splendid buildings adjacent to the hospital that do not have to be touched. They are in excellent condition. They are made out of yellow brick and are suitable for all the purposes for which they have been constructed.

Mr. STAFFORD. Will the gentleman inform the House whether it is within his concept of what should be constructed down there for this \$1,500,000 that there should be included these other incidental facilities, like classroom equipment, and so forth?

Mr. McCLINTIC of Oklahoma. This money, I take it, will be used in the construction of the main building for hospital purposes only. The other buildings are adjuncts which are to be utilized and will continue to be utilized for the purposes for which they were constructed.

Mr. BRITTEN. When the bill was originally presented it provided that there should be constructed a new school building. The present naval classes in that medical center are being conducted in an old building, 50 or 85 years old, and in this \$3,200,000 was included a new building for school facilities. If the gentleman's amendment prevails, the entire amount of one million and a half dollars will go for hospital alone.

Mr. McCLINTIC of Oklahoma. And if we shall need new buildings in the future, the committee will make the necessary authorizations.

The SPEAKER. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Line 7, page 1, strike out the figures "\$3,200,000" and insert "\$1,250,000."

Mr. WOODRUFF. Mr. Speaker, my understanding was to the effect that the figures in the bill would be reduced from \$3,200,000 to \$1,700,000—a reduction of \$1,500,000. So far as I am concerned, I am willing to accept that amendment.

Mr. VINSON of Georgia. My understanding in the committee was that the total amount would be \$1,500,000, of which amount \$250,000 would come from the hospital fund.

Mr. BRITTEN. I will say to the gentleman that my understanding was the same as his. The amount of \$3,200,000 would be reduced to \$1,500,000. However, I am willing to go along with the gentleman.

Mr. McCLINTIC of Oklahoma. I am willing to modify my amendment.

Mr. LAGUARDIA. I do not think the gentleman ought to do that, if you want the bill to pass. You change the whole proposition to the construction of the new building. You offer an amendment cutting it down to \$1,250,000, \$250,000 of which will be charged to the naval hospital fund. Will the Clerk report the amendment again?

The SPEAKER pro tempore. Without objection, the Clerk will again report the amendment.

The Clerk again read the amendment.

Mr. BRITTEN. Mr. Speaker, in view of the situation, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment to the amendment by Mr. BRITTEN: Strike out "\$1,250,000" and insert in lieu thereof "\$1,500,000."

Mr. LAGUARDIA. Two hundred and fifty thousand dollars—does that come from the hospital fund?

Mr. VINSON of Georgia. Under the amendment offered the total appropriation would be \$1,750,000.

Mr. LAGUARDIA. The bill says:

At a cost not to exceed \$3,200,000, of which \$250,000 shall be charged to the naval hospital fund.

The SPEAKER pro tempore. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CRAMTON. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. CRAMTON: At the end of line 8 strike out the period and insert a colon and the following proviso: "Provided, That the construction herein authorized shall be subject to the approval of the Public Building Commission under the authority of section 6 of the public buildings act of May 25, 1926, to the same extent as other public-building construction in the District of Columbia, and the plans for such construction shall be submitted to the Fine Arts Commission for advice."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BUREAU OF LABOR STATISTICS

The next business on the Consent Calendar was the bill (H. R. 995) to create in the Bureau of Labor Statistics of the Department of Labor a division of safety.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, the bill itself is very vague, and it has an interesting cracker at the end, that the Department of Labor shall not conduct any of the inquiries specified in the bill where they are now being conducted by anybody else. If it is necessary to create this division, that division should have authority to conduct the investigations that are germane to its field of activity. That could be amended by dropping out that proviso. But the report of the committee does not carry any report from the department. There is a quotation from some statement or other made by the Secretary of Labor, but there is no sort of report that the House is entitled to have. There is nothing showing that

this has been referred to the Bureau of the Budget. I believe the House is entitled to that information, and I reiterate that in these days when the Executive is confronted with the possibility of calling for new taxes to meet our expenses, we ought not to set up new jobs, create new agencies, that will cost money, without any reference at all to the Bureau of the Budget. In view of that I shall be obliged to object to the bill, but I shall ask that it be passed over without prejudice in order that the gentleman, before it comes up again, may have an opportunity to get a report from the Department of Labor. I reserve my objection for the benefit of the gentleman from Indiana.

Mr. HOGG. Mr. Speaker, there is an extended report from the Department of Labor asking for the enactment of this bill. This report was purposely made short so the Members would not be required to read a long report.

Mr. CRAMTON. I remember when this bill passed before and I felt very dubious about it, and my doubts have been strengthened by the contact I have had in the course of our committee hearings with the work of that department, which exhibited a sort of vagueness as to where they are going and how they are going to get there. I do not believe new jobs ought to be set up now without a very clear showing.

Mr. HOGG. This is not a question of new jobs. It is a question of saving some of the 25,000 lives of American citizens that are being crushed out in industry every year in this country.

Mr. CRAMTON. My contact with the work of the department and the showing they are able to make does not give me any reason whatever to believe that the passage of this bill has anything to do with the saving of any lives whatever. I am going to object to the bill.

Mr. LAGUARDIA. Will the gentleman insert in his remarks a copy of the report which accompanied the bill when it passed in the last session, so that the gentleman from Michigan may refresh his memory?

Mr. CRAMTON. I want an up-to-date report from the Bureau of the Budget, because the President is not confronting a Treasury of three years ago but is confronting a condition of the Treasury to-day, and I would like to have the reaction of the Budget on this bill.

Mr. JENKINS. I also suggest that the gentleman have something in his report to indicate how far the different States now are doing this work indicated in the bill.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

CONSTRUCTION OF MICHAUD DIVISION OF FORT HALL IRRIGATION PROJECT, IDAHO

The next business on the Consent Calendar was the bill (H. R. 10880) authorizing the construction of the Michaud division of the Fort Hall Indian irrigation project, Idaho, an appropriation therefor, and the completion of the project, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RELIEF OF CERTAIN INDIANS IN MONTANA AND IDAHO

The next business on the Consent Calendar was the bill (H. R. 11753) to amend an act for the relief of certain tribes of Indians in Montana, Idaho, and Washington.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. I object. If the gentleman from Montana desires, I shall reserve the objection.

Mr. LEAVITT. Mr. Speaker, this bill is presented with the approval of the Commissioner of Indian Affairs and of the Indians who are involved, and it is properly protected in regard to one tribe of Indians that has not yet acted on the matter covered. At the time the work was started by this firm of attorneys in behalf of two of these tribes of Indians back in 1908 there was no jurisdictional bill, such as was passed in 1924. That work was done over a long period of years. When the jurisdictional act was passed in 1924 and the contract with these attorneys was approved, there was a requirement from the department that a limitation of \$25,000 be placed in the contract. These attorneys had already worked since 1908 up until that time, and rather than lose all benefit of the work they had done in the past they accepted that condition, but it

was without any understanding on the part of the Indians. The practice in the past has been a matter of 10 per cent, or, at the discretion of the court, not to exceed 10 per cent. The Indians of the Blackfeet and Gros Ventre Tribes have acted through their tribal councils asking this limitation be removed, and this bill is to allow what the Indians themselves wish and what is approved by the Commissioner of Indian Affairs and the department.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. CRAMTON. Just what will be the amount of attorneys' fees that will be claimed under the amended law?

Mr. LEAVITT. I am not able to say exactly, because the case is not yet through the courts, but we have in late years changed the practice that was in effect for a matter of only two or three years, with a limitation of \$25,000, and we have since that time passed all bills of this kind with a provision that the attorneys' fees shall not exceed 10 per cent of the recovery, at the discretion of the court. This is merely revising these contracts, that were really in effect for several years so far as dealings of these attorneys with these Indians are concerned, in accordance with what we are now doing.

Mr. CRAMTON. The limit, as I understand, is 10 per cent of whatever amount is recovered?

Mr. LEAVITT. Yes.

Mr. CRAMTON. What is the amount of the total claim?

Mr. LEAVITT. It goes into many hundreds of thousands of dollars, and perhaps a million.

Mr. CRAMTON. Well, there is that possibility. I do not know that I will object to this, but I did think that I should challenge the attention of the House, and if the House wants to adopt a policy of no limit, \$200,000, \$300,000, or a million, it is for the House to determine.

Mr. BLANTON. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

BRIDGE ACROSS THE WABASH RIVER, IND.

The next business on the Consent Calendar was the bill (S. 1268) authorizing the States of Illinois and Indiana to construct, maintain, and operate a free highway bridge across the Wabash River, at or near Vincennes, Ind.

There being no objection to its consideration, the Clerk read the bill, as follows:

Be it enacted, etc., That the States of Illinois and Indiana be, and they are hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Vincennes, Ind., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. There is hereby conferred upon the States of Illinois and Indiana all such rights and powers to enter upon lands, and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the States in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such States, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such States.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With a committee amendment as follows:

Strike out all after the enacting clause and insert:

"That the times for commencing and completing the construction of a bridge across the Wabash River at or near Vincennes, Ind., authorized to be built by the States of Illinois and Indiana, by an act of Congress approved June 20, 1929, are hereby extended one and three years, respectively, from June 20, 1930."

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill, as amended, was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

Amend the title so as to read: "An act to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Vincennes, Ind."

MEMORIAL TO WILLIAM JENNINGS BRYAN

The next business on the Consent Calendar was the resolution (S. J. Res. 127) authorizing the erection on the public

grounds in the city of Washington, D. C., of a memorial to William Jennings Bryan.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. LAGUARDIA. Reserving the right to object, Mr. Speaker, I want to ask my colleague from Michigan [Mr. CRAMTON] does he think we ought to have the approval of the District of Columbia Fine Arts Commission?

Mr. CRAMTON. That is required in section 2. To my mind section 3 is hardly necessary. To my mind section 3 goes further than it ought to. But I will not object. I presume that a desirable site outside the restrictions in section 3 can be assured. Personally I would like to see a suitable site selected.

Mr. LAGUARDIA. This would not interfere with any landscaping plan?

Mr. CRAMTON. No.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the Director of Public Buildings and Public Parks of the National Capital be, and he is hereby, authorized and directed to grant permission to the William Jennings Bryan Memorial Association for the erection on public grounds of the United States in the city of Washington, D. C., other than those of the Capitol, the Library of Congress, and the White House, of a memorial to William Jennings Bryan, one time Member of the House of Representatives of the United States Congress from the State of Nebraska, Secretary of State of the United States, and three times nominated by his party for President of the United States.

SEC. 2. The design of the memorial shall be approved and the site shall be chosen by the Commission of Fine Arts, and the United States shall be put to no expense in or by the erection of the said memorial.

SEC. 3. The memorial herein provided for shall not be erected or placed in any part of the Mall or Potomac Park nor on any ground within one-half mile of the Capitol.

With a committee amendment as follows:

Page 2, after line 12, insert:

"SEC. 4. The memorial shall be erected under the supervision of the Director of Public Buildings and Public Parks of the National Capital, and all funds necessary to carry out its erection shall be supplied by the donors in time to permit the completion and erection of the memorial not more than three years after the site is reported available for the purpose."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Senate joint resolution as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

OIL AND GAS PROSPECTING PERMITS AND LEASES

The next business on the Consent Calendar was the bill (S. 317) to authorize the Secretary of the Interior to grant certain oil and gas prospecting permits and leases.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

Mr. LEAVITT. Mr. Speaker, will the gentleman reserve his objection?

Mr. BLANTON. I will reserve it if the gentleman wants to make a statement.

Mr. LEAVITT. Mr. Speaker, I do not think the gentleman will object if he understands the purpose of this bill. The latest word we have in regard to it is in a letter from the Secretary of the Interior, which contains this paragraph:

The danger of drainage mentioned in your letter is believed to be such as to make it a matter of concern to this department that early action be taken by Congress, to the end that the royalty interests of the Government may be fully protected, that the equities possessed by the company may be accorded some recognition and the controversy be terminated fairly to both the Government and the company.

Mr. BLANTON. I will state to the gentleman from Montana that a number of us over here intend to object. I withheld my objection in order to allow the gentleman to make a statement.

Mr. STAFFORD. I read this bill carefully and was somewhat skeptical about it, from the fact that the present Secretary of the Interior was not called upon to make a report. I have just read a recent letter from the Secretary of the Interior,

in which he points out the need of some kind of restrictions to protect the interests of the Government. I wish that the letter may be incorporated in the Record.

Mr. BLANTON. There have been actions of so important an official as a former Secretary of the Interior that did not protect the interests of the people. This company already has every right under the law.

Mr. LEAVITT. When the general leasing act of 1920 was enacted into law there was in a section, No. 9, which allowed anybody already having placer rights six months' time during which he might apply for a permit.

Mr. BLANTON. The Secretary of the Interior already has that right under the law.

Mr. LEAVITT. This company could at that time, if it had taken advantage of the law, acquired a much greater area than is now in this bill. It might have procured something like 5,000 acres, as I recall.

But, instead of that they had already been clear listed by the land office on five placer claims and had been called upon to pay their money, \$2,000. But then the Secretary's office ruled that the discovery was not sufficient to obtain patent. Meantime, the six months had gone by. If they had not let the six months go by, they could have covered a much larger area, but since the land office had accepted their money and no bad faith had been shown at all, they thought no question could come up with regard to securing patent to the land.

Mr. BLANTON. They just did not comply with the law. That is all.

Mr. LEAVITT. Oh, yes, they did; or what they believed to be their rights under the law.

Mr. BLANTON. And it requires this new law to help them out.

Mr. LEAVITT. Yes. In the last Congress this House passed, after considerable discussion, a bill covering twice the amount of land covered in this bill.

Mr. BLANTON. I will state that I would prefer to have it remain on the calendar unobjected to, and if the gentleman prefers, I will ask unanimous consent that it remain on the calendar.

Mr. LEAVITT. No. We would just as soon have it objected to as to have it passed over without prejudice.

Mr. BLANTON. I am sorry, but I intend to object.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LEAVITT. I yield.

Mr. LAGUARDIA. The thing that is troubling me is what is the difference in the relief granted by the bill and that originally denied by the Secretary?

Mr. LEAVITT. To begin with, their application was then for a patent. They had covered these lands by placer mining claims, as was the law at that time. They had made discovery of oil, but, after the local land office had accepted their money, the case came to the department for final decision, and it was decided in Washington that the discovery was not sufficient for patent. Now, all we are giving them is the right to apply for permit to this small amount of 800 acres, to permit them to make further discovery, if possible.

The regular order was demanded.

Mr. BLANTON. I object.

COMMEMORATION OF THE LEWIS AND CLARK EXPEDITION

The next business on the Consent Calendar was the bill (H. R. 11853) to authorize the Secretary of the Treasury to prepare and manufacture a medal in commemoration of the one hundred and twenty-fifth anniversary of the expedition of Capt. Meriwether Lewis and Capt. William Clark.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I believe it is the understanding of the House that bills of this character should be tabled in view of the position of the President.

Mr. FRENCH. I beg to say that my bill originally provided for a coin under a plan similar to the one which was vetoed by the President. It was suggested in the President's message, however, that it might be desirable in certain instances to commemorate by the striking of medals, and it was indicated that to such a course he would have no objection. Accordingly I rewrote the bill, providing for a medal to commemorate the event, and I will say that this procedure has been followed in some other places in earlier years.

The present bill was referred to the Treasury Department, and I am glad to advise that the report of the Secretary of the Treasury is favorable upon inclusion of certain amendments.

Two amendments were suggested by the Secretary, which have been incorporated in the bill.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. LAGUARDIA. This language—

Shall be manufactured from silver alloy containing no greater percentage of silver than is contained in the silver coins of the United States, subject to the provisions of section 52 of the coinage act of 1873—

does not remove the objections enumerated in the President's veto message. How would this medal be differentiated from a coin?

Mr. FRENCH. One of the medals that was handed to me for examination by the Treasury Department was octagonal in shape. The department would work out a medal that would be so distinct from the coin that there could be no confusion. The medal which commemorates the settlement of the Norse people in the State of Minnesota, and which was struck a few years ago, is a medal octagonal in shape, about the size of a 50-cent piece, but so designed that it could not be confused with a coin.

Mr. LAGUARDIA. What is the Lewis and Clark Memorial Association going to do with the medal?

Mr. FRENCH. The association would plan to sell the medals to purchasers, just as other medals have been sold.

Mr. LAGUARDIA. Are they financially able to take care of the cost of making these medals, or must they wait until they dispose of the medals to get the money?

Mr. STAFFORD. That is the difficulty I have. There is no provision which guarantees the Government that it shall be paid for its work after the medals have been stricken.

Mr. FRENCH. Under provision of the general law to which reference is made, the association would have to advance the cost for the metal and also for the work.

Mr. LAGUARDIA. Would the gentleman object to an amendment on page 2, line 12, after the word "payment," to insert "in advance," making it read "payment in advance"?

Mr. FRENCH. I have no objection to that.

Mr. PATTERSON. That was the object of my reservation.

Mr. LAGUARDIA. I think that should be done.

Mr. COLE. That language of the general law provides that.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. COCHRAN of Missouri. Is there any limitation as to what this association can charge for the sale of these medals?

Mr. FRENCH. No; there are no limitations. I take it that the custom permitting a fair profit only to the association would control the matter very effectively.

Mr. COCHRAN of Missouri. Lewis and Clark started from my city. You are giving these medals over to an association at cost to the Government, with absolutely no limitation as to what that association can charge in the disposition of the medals?

Mr. LAGUARDIA. All the traffic will bear, I suppose.

Mr. COCHRAN of Missouri. Absolutely.

Mr. FRENCH. In similar cases there has never been any difficulty, and, as far as I am aware, no limitation has ever been placed.

Mr. CABLE. The committee was unanimous in reporting out the bill, in addition to having the approval of the Treasury Department?

Mr. FRENCH. I so understand.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in commemoration of the one hundred and twenty-fifth anniversary of the expedition of Capt. Meriwether Lewis and Capt. William Clark and in commemoration of the valuable services rendered this Nation by these two explorers, the Secretary of the Treasury is authorized to prepare and manufacture at the United States mint at Philadelphia a medal from an appropriate design with devices, emblems, and inscriptions significant of this historic achievement. The medals herein authorized shall be manufactured, subject to the provisions of section 52 of the coinage act of 1873, from suitable models to be supplied by the Lewis and Clark Memorial Association (Inc.), of Lewiston, Idaho. The medals so prepared shall be delivered at the Philadelphia Mint to a designated agent of said Lewis and Clark Memorial Association (Inc.) upon payment of the cost thereof.

With the following committee amendments:

Page 2, line 2, after the word "achievement," strike out the word "the" and insert "not to exceed 100,000."

Page 2, line 4, after the word "manufactured," insert the words "from silver alloy containing no greater percentage of silver than is contained in the silver coins of the United States."

The committee amendments were agreed to.

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from New York [Mr. LAGUARDIA] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LAGUARDIA: On page 2, line 12, after the word "payment," insert the words "in advance."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PRELIMINARY EXAMINATIONS OF SUNDRY STREAMS

The next business on the Consent Calendar was the bill (H. R. 12190) to authorize preliminary examinations of sundry streams with a view to the control of their floods, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I would like to ask my colleague from Michigan [Mr. CRAMTON], a member of the Appropriations Committee, if this flood-control survey is going to become an annual affair like rivers and harbors?

Mr. CRAMTON. I will refer the gentleman to my colleague on the committee [Mr. BARBOUR], who is chairman of the subcommittee having in charge the Army appropriation bill.

Mr. LAGUARDIA. I see the gentleman from California [Mr. SWING], who reported the bill. What is the policy going to be? Are we going to have annual omnibus flood control bills?

Mr. SWING. I do not anticipate any large number of additional surveys. Most of these surveys are on rivers which are tributary to larger streams, and in order to have before the committee and before the Congress a comprehensive view of not only the main streams but of the more important tributaries, we found it necessary to include the number that are in this bill in order to supplement, primarily, the previous surveys. I think it will be worth while for the committee to have the information which is called for in this omnibus bill.

Mr. BARBOUR. Will the gentleman yield?

Mr. SWING. I yield to my colleague.

Mr. BARBOUR. I would like to ask why this is necessary, in view of the fact that the flood control act authorized surveys of streams throughout the entire United States, and each year the War Department appropriation bill carries appropriations for the making of these surveys, not only on the main streams, but on the tributaries throughout the entire country.

Mr. SWING. The bill under which they are proceeding specified, in the report which accompanied it, specific bills which the committee then had in mind, and the engineering section of the War Department has held that this authorization is necessary if they are to make a survey of these streams.

Mr. CRAMTON. I am curious to know something about what we are getting into. This bill authorizes a preliminary examination of certain streams, and so far as I know anything about these streams—and I think there is nobody in the House who has heard of more than one or two of them, those near home—they are not streams which are regarded as navigable, and I am wondering if we are taking up the policy of providing drainage and flood control for all of the minor streams of the United States simply because eventually each one of those streams finds its way into some greater river.

Mr. SWING. The whole, of course, includes the parts and the main stream is made up of its tributaries which lead into it. There is an important question to decide, and we have not yet decided it in our committee, and we will not decide it until we have this information, and that is the question as to whether the flood problem should be treated at its source in the tributaries or whether we should wait until the tributaries have created an immense force in the main stream and then undertake to treat it after it has developed in the main stream.

Mr. CRAMTON. If the gentleman's committee follows that doctrine to its logical and inevitable conclusion it will mean that the Treasury of the United States will take over the financial responsibility of the entire drainage problem of the United States.

Mr. SWING. I will say to the gentleman that we have not yet made any such decision, but we do feel that we should secure the information called for here.

Mr. CRAMTON. But if the gentleman gets information about enough streams, judiciously distributed throughout the various congressional districts of the United States, there will come in here a pork barrel flood control bill which will raid the Federal Treasury for the drainage of the United States.

Mr. SWING. I think we have that in mind and I agree with the gentleman, and it is not our intention to bring in any such bill.

Mr. CRAMTON. I find I am entirely too modest in my efforts in behalf of my own district. There is up there the Flint River which comes in floods at times. The village council of Vassar sent me a resolution asking that the Federal Government attempt to eliminate the floods. I inquired of the War Department and they said it is not a navigable river and that they have nothing to do with it. Well, I will guarantee it is just as navigable as 9 out of 10 of the streams mentioned in this bill. I thought they were showing a due regard for the Federal Treasury, but I am frank to admit that I am human, and if all the other little creeks of the Nation are to become the wards of the Federal Treasury, I would like the Flint River to go in with the rest of them.

Mr. COCHRAN of Missouri. I am impressed with the situation in Ohio. In 1913 you had a terrible flood in Ohio.

Mr. JENKINS. We had.

Mr. COCHRAN of Missouri. As a result five dams were built on small creeks or tributaries, as you call them, and since the five dams have been constructed they have never had any flood, according to my understanding.

Mr. CRAMTON. But let me point out a distinction to the gentlemen. When they come to the question of studying the floods on an important navigable stream, it is necessary, I suppose, in studying those floods to make some study of the floods coming in from tributaries, but here these gentlemen are not proposing to study the floods on important navigable rivers. They are proposing to study the floods on a lot of more or less insignificant creeks throughout the country, independent of any flood problem on important rivers.

Mr. LAGUARDIA. And will the gentleman also add that the tendency is becoming epidemic?

Mr. CRAMTON. It is a chronic disease, not an epidemic.

Mr. SWING. Let me say in reply to that statement, we are going to be governed very largely by the report of the War Department. This is but a preliminary investigation and not a formal survey.

Mr. CRAMTON. We have a very important experiment under way in the control of floods in the valley of the Colorado, the Imperial Valley, and so forth. We have this experiment under way, and I wonder if it would not suit my friend from California if we proceed with that experiment and let these wait for the time being?

Mr. SWING. Oh, no. I never have yet voted to refuse the House or the committee information. The engineers of the War Department thought these rivers important enough to make a favorable report on each and every one of these rivers that are in here. Now, when they make their preliminary examination, if they say it is not worth while to consider the matter further, I can assure the gentleman we will very likely be willing to let the matter drop.

Mr. LAGUARDIA. The only thing I see in the report is that the probable cost of each survey will be \$1,500.

Mr. SWING. I think they will cost much less than that.

Mr. LAGUARDIA. It is not so much the matter of the cost of the survey as the eventual cost of the work itself.

Mr. SWING. Well, let us have the survey and get the information, then we can act in accordance with that information.

Mr. JENKINS. If the gentleman will permit, I am interested in one of these rivers, and I may say for the information of the gentleman from Michigan that we are not asking for any great amount of money.

Mr. CRAMTON. I do not mind this expense; it is what you are inevitably leading us up to.

Mr. JENKINS. With reference to this particular transaction, I am sure it will not lead to a great deal of money, and the necessity arises from the fact of the construction of a Government dam in the Ohio River. The backwater from the construction of this dam has found its way into the mouth of this river, on which there was formerly some navigation, but now the mouth of the river is closed up to such an extent that they can not navigate.

Mr. CRAMTON. Who built the dam?

Mr. JENKINS. The United States Government; and the expense involved will not be very much. Twenty-five years ago the Government spent about \$5,000, and they have not spent anything since then.

Mr. LAGUARDIA. I wonder how many of these reports come back with the statement that no further work is necessary.

Mr. STAFFORD. Did I understand the gentleman from Ohio to say that this is a creek?

Mr. JENKINS. No; I did not say it is a creek.

Mr. STAFFORD. But it is not navigable.

Mr. JENKINS. It is not navigable because the mouth of the river is closed up on account of this construction work.

Mr. CRAMTON. Can the gentleman point us to any statement from the department suggesting that there is any reason for undertaking these surveys? The report of the Chief of Engineers only enumerates the rivers and tells what the cost will be.

Mr. SWING. In the hearings there was inserted—

Mr. CRAMTON. I will say to the gentleman I do not have time to read all the hearings. I do pretty well to look at the reports of the committee.

Mr. SWING. I am sorry that the report does not contain the report of the War Department on each and every one of these rivers. In the hearings the reports of the War Department on each river were included.

Mr. CRAMTON. Can the gentleman read, as to any one of the rivers, a statement from the War Department that we ought to undertake this survey?

Mr. SWING. Oh, no; they do not say we ought to, but they made the usual favorable report on the bill.

Mr. CRAMTON. Well, I do not know; I did not see that, I will say to the gentleman.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice until we may get a report from the Bureau of the Budget.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COPYRIGHT REGISTRATION OF DESIGNS

Mr. VESTAL. Mr. Speaker, I ask unanimous consent to consider at this time the bill (H. R. 11852) amending the statutes of the United States to provide for the copyright registration of designs. The bill was on the Consent Calendar yesterday.

Mr. STAFFORD. Mr. Speaker, I ask that the gentleman defer his request until later in the afternoon, so as not to interfere with the regular order in the consideration of the bills.

Mr. VESTAL. I was ill in bed yesterday and was unable to be here when the bill came up. I would like to have an opportunity to make a short statement to the House relative to the bill.

Mr. STAFFORD. In view of the gentleman's illness I will not interpose any objection to the gentleman making a statement, but I will ultimately have to object to the bill.

Mr. VESTAL. Mr. Speaker and gentlemen of the House, this bill (H. R. 11852) amending the statutes of the United States to provide for copyright registration of designs, is a bill that the committee has considered very carefully for the last five or six years.

An emergency exists now for the passage of this bill, and I want to give the House the reasons the bill ought to be passed at this session.

First let me say there are no persons objecting to the bill; that is, no person interested in the bill is objecting to it.

The only objection that was made at all was by the retailers. The retailers and manufacturers got together and agreed to an amendment which absolutely protects the retailer in the sale of goods that they purchase.

Now, the need of this bill being passed at this session is the fact that there are unscrupulous people in the country who are stealing designs all the time. Every manufacturer of textile silk—take Cheney Bros., who spend \$150,000 a year for designs—some unscrupulous people are taking those designs, putting them on cheap goods, and deceiving the public all over the country.

Mr. O'CONNOR of New York. Does this bill include garments, clothing?

Mr. VESTAL. No.

Mr. O'CONNOR of New York. Is there any particular reason why they should be left out?

Mr. VESTAL. It takes in every textile where designs are used.

Mr. O'CONNOR of New York. And it would cover completed garments?

Mr. STAFFORD. It is broad enough to include completed garments.

Mr. VESTAL. It protects the design. A suit was instituted by Cheney Bros. against the Doris Silk Manufacturing Co. The Cheney Bros. thought that they could protect these things without legislation. But Judge Hahn, one of the most able judges in the United States, handed down a decision saying that there was great damage being done with absolutely no way of protecting them and they would have to have congress-

sional action before they could be protected. Since that suit has been decided—let me read what happened:

It is daily becoming more imperative that quick action be taken in Congress. I am told that Haas Bros. report that they got out a line of new designs for late spring showing two weeks ago, and that every design in the line was copied within 10 days. C. K. Eagles report that out of all their successful designs issued by them this season all but one were immediately copied. Cheney Bros. have had additional designs copied since those reported. James Goldsmith reported 10 days ago that his most elaborate and most expensive design had been copied on the cheapest and poorest stuff sold. Other houses are likewise reporting serious conditions. There is "wailing and gnashing of teeth."

If this goes into another season the situation will be truly alarming. The unscrupulous have taken the Doris case to be complete license to proceed as they please.

It seems to me that when manufacturers of this country and the retailers of this country agree that something ought to be done, that its designs are being pirated right and left, there ought not to be any objection, so far as this House is concerned, to the passage of a bill which they all agree to, and which they agree will protect the designers of the country and protect the manufacturers and retailers as well.

It seems to me that under these circumstances there ought not to be any objection to this bill being passed.

Now, I have an amendment that meets the objections of the retailers, and I would like to read it. It is as follows:

Page 8, line 12, strike out all the language in lines 12 to 19, inclusive, including the word "righted," and insert in lieu thereof the following:

"Provided, however, That if such sale or public distribution or exposure for sale or public distribution is by anyone other than the manufacturer or importer of the copy or colorable imitation, it shall be unlawful only as to goods purchased after written notice of a restraining order or preliminary injunction, or of an order granting a preliminary injunction, or of a decree by any court having jurisdiction in the premises, in any action brought under this act by the copyright owner for infringement of such copyright, or of any order or decision in such an action in which the court, although refusing injunctive relief, states that in its opinion, based on the affidavits or testimony submitted, such copyright is for an original design and otherwise valid, and in the absence of such notice the remedies and penalties provided for in section 10 of this act shall not apply; the words 'manufacturer' and 'importer' as used in this section shall be construed as including anyone who induces or acts in collusion with a manufacturer to make, or an importer to import, a colorable imitation or an unauthorized copy of a copyrighted design, but purchasing or giving an order for purchase in the ordinary course of business shall not in itself be construed as constituting such inducement or collusion."

Mr. LAGUARDIA. And that is no greater protection than they have for mechanical devices.

Mr. VESTAL. Absolutely; it is not as strong as it ought to be, but it is a step in the right direction. We are trying to legislate for the interest of business, and this is a great step in that direction, and I hope the gentleman from Wisconsin will not object.

Mr. PATTERSON. Will the gentleman yield?

Mr. VESTAL. I yield.

Mr. PATTERSON. I just want to say, as the chairman of the committee has stated, that the committee has held hearing after hearing, and this amendment worked out by our good chairman and several other colleagues, after long study of the matter year after year, makes a good bill in its present shape. The last time that it was presented the committee considered it, and there was no objection to it.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, on yesterday when this bill was under consideration I asked to have the bill passed over without prejudice. That was objected to by the gentleman from Missouri [Mr. DYER]. My purpose was in having it passed over without prejudice that I might have time to consider certain matters received in the mail covering certain objectionable features of the bill. I have not had time to examine that material as yet. I should be glad to examine it between now and the next consent day. I have no objection to having the proceedings vacated whereby the bill was stricken from the Consent Calendar yesterday, and having it reinstated for future consideration.

Mr. VESTAL. As to the objectionable features to which the gentleman refers, were they not received from a retailer?

Mr. STAFFORD. I stated that I received some information that I had not as yet been able to consider, trying to meet objections that I had raised to a constituent of mine. I have studied the bill carefully. I have some fundamental objections. The amendment suggested to-day which was not given oppor-

tunity for expression yesterday may enable me to give consent on Monday, but for the present I object.

Mr. VESTAL. Is there any objection to the bill going back on the calendar? It was stricken from the calendar yesterday.

Mr. STAFFORD. I have no objection to a motion to vacate the proceedings whereby it was stricken from the calendar yesterday and to its retaining its place on the calendar without prejudice.

The SPEAKER pro tempore. Without objection, the proceedings whereby the bill was stricken from the calendar yesterday will be vacated and the bill will take its place on the calendar without prejudice.

There was no objection.

TO FACILITATE WORK OF THE DEPARTMENT OF AGRICULTURE IN ALASKA

The next business on the Consent Calendar was the bill (H. R. 252) to facilitate work of the Department of Agriculture in the Territory of Alaska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture be, and he is hereby, authorized to furnish subsistence to employees of the United States Department of Agriculture in the Territory of Alaska, and to purchase personal equipment and supplies for them, and to make deductions to meet the cost thereof from any money appropriated for salary payments or otherwise due such employees.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

SANTIAM NATIONAL FOREST, OREG.

The next business on the Consent Calendar was the bill (H. R. 5404) authorizing the exchange of land adjacent to the Santiam National Forest in the State of Oregon.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MCCLINTIC of Oklahoma. Mr. Speaker, I reserve the right to object. I find on making investigations of this subject that it relates in part to what is known as the California & Oregon land-grant tracts of land where the title was revested to the National Government. On three different occasions in the past I have called attention to the fact that there are 18 counties in the State of Oregon which benefit from legislation that through a misapprehension was not understood by many Members of Congress when enacted into law. This legislation allows these counties to assess for taxation the public lands now belonging to the Government at a rate up to \$100 per acre when, if homesteaded, the amount the Government would receive would be \$1.25 per acre. The first time I called attention to the subject the amount that these counties had received was something like \$7,000,000. The next time it was \$8,000,000, and the next time \$8,500,000. I have here in my hand a statement under date of June 6, which shows that these counties have received a sum of approximately \$9,000,000. What I have to say here is not personal, but if this condition is allowed to go on for a period of another 10 years, it will amount to a national scandal. This body ought to look into this situation to the extent of finding out whether or not such legislation should remain on the statute books that allows public lands subject to homestead entry to be assessed for this purpose.

I call attention to the fact that one of those counties has received up to the present time \$2,141,000, another county has received \$1,610,000, and another \$1,557,000. The other counties have received amounts somewhat similar. This bill refers to these particular tracts of land. There are 39,300 acres of such lands in the reserve known as public lands which were formerly the California & Oregon land grants. Twenty-two thousand acres of this land are now covered with timber. If a statement made by the Commissioner of the Land Office is correct, these timbered tracts will be turned over to private individuals, and they will be allowed to cruise the timber and sell it. For the reason that the funds will be paid to these counties and there is a deficit of more than \$6,000,000 at the present time, I do not believe that any legislation relating to this subject should be enacted into law until this very bad piece of legislation, as I view it, is amended or repealed.

Further, this legislation has been referred to in very complimentary terms by some of the high officials who are at present in charge of the Government. I have been furnished

with information from time to time which shows that this legislation ought never to have been enacted and that these counties should not be allowed further to continue receiving funds to which they are not entitled. So, Mr. Speaker, until this condition has been changed in a way that will be fair to the rest of the States, I shall have to object.

Mr. HAWLEY. Mr. Speaker, will the gentleman withhold his objection?

Mr. McCLINTIC of Oklahoma. Yes.

Mr. HAWLEY. Is the gentleman objecting to the bill H. R. 5404?

Mr. McCLINTIC of Oklahoma. Yes. I ask unanimous consent that this information be placed in the RECORD at this point. It is official, coming from the Interior Department.

The SPEAKER pro tempore. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD by inserting therein certain material which he designates. Is there objection?

There was no objection.

The matter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, June 6, 1930.

Hon. J. V. McCLINTIC,
House of Representatives.

MY DEAR MR. McCLINTIC: In compliance with your request of May 22 for information concerning payments to certain Oregon and Washington counties in lieu of accrued taxes, I am inclosing copy of a statement showing payments to the close of the fiscal year ended June 30, 1929, aggregating \$9,136,117.12. Payments during the current fiscal year to March 31 amounted to \$576,831.70, and this office has to date certified other claims aggregating \$200,359.16, making a grand total of \$9,913,307.98, as follows:

	Taxes to June 30, 1929, per table	Paid to Mar. 31, 1930	Additional claims approved	Grand total
Oregon:				
Benton.....	\$365,616.64	\$18,448.29	\$15,500.68	\$399,655.61
Clackamas.....	485,855.86	23,667.53	153,053.00	662,576.39
Columbia.....	187,705.43	15,012.92		202,718.35
Coos.....	743,935.86	44,311.39		788,247.25
Curry.....	37,929.57	2,943.59	2,888.77	43,761.93
Douglas.....	2,141,182.23	151,476.96		2,292,659.19
Jackson.....	1,610,355.62	92,994.96	1,268.94	1,704,619.52
Josephine.....	752,840.77	48,138.86		800,979.63
Klamath.....	167,554.47	7,918.01		175,472.48
Lane.....	1,557,719.22	116,752.71		1,674,471.93
Lincoln.....	49,078.41	5,187.15		54,265.56
Linn.....	291,397.89	24,455.73		315,853.62
Marion.....	169,479.46	11,333.07		180,812.53
Multnomah.....	55,997.21			55,997.21
Polk.....	284,924.32		27,557.77	312,482.09
Tillamook.....	60,394.97	3,973.45		64,368.42
Washington.....	89,222.71	4,434.51		93,657.22
Yamhill.....	80,029.78	5,752.57		85,782.35
Washington: Clarke.....	4,896.70			4,896.70
Total.....	9,136,117.12	576,831.70	200,359.16	9,913,307.98

The act of June 9, 1916 (39 Stat. 218), by which these lands of the grant to the Oregon & California Railroad were reverted to the United States, provided in section 9 for the payment of taxes for the years 1913, 1914, and 1915; section 1 of the act of July 13, 1926 (44 Stat. 915), provided for payment of taxes from 1916 to 1926, inclusive, and made an appropriation therefor; and section 3 of the latter act provided for payment of taxes for subsequent years, but the Comptroller General held that section 3 did not make an appropriation and that therefore the taxes therein authorized must be paid directly from the Oregon and California land grant fund; that is, from the proceeds of the land and timber from the reverted lands.

The total receipts from this source to June 30, 1929 (mainly from sales of timber), are shown by fiscal years, as follows:

1918.....	\$320,033.22
1919.....	165,963.90
1920.....	245,737.73
1921.....	363,802.04
1922.....	252,426.74
1923.....	642,922.00
1924.....	1,003,064.99
1925.....	664,833.14
1926.....	583,756.26
1927.....	612,219.78
1928.....	491,346.24
1929.....	752,328.47
Total.....	6,098,434.51

The Treasury figures are \$10,746.26 less than this, resulting from that sum received through the clerk of the court having been covered to the wrong fund. Transfer is being arranged.

The compilation of a distribution of these receipts by counties is not completed, but as soon as the tabulation is finished, I shall be glad to

furnish you a statement showing such distribution. This statement will show timber sales and sales of land separately.

As the foregoing statement includes taxes paid under the act of June 9, 1916, as well as amounts paid in lieu of taxes under sections 1 and 3 of the act of July 13, 1926, it will differ from recent correspondence in the matter which considered only the amounts paid under the act of 1926.

I may add that of the \$1,571,044.05 paid under the former act, the Government recovered from the railroad company a little over a quarter of a million. In the opinion of the United States District Court for Oregon, September 15, 1925 (8 F. (2d) 645), the amount is stated at \$257,715.32.

Very respectfully,

THOS. C. HAVELL,
Acting Commissioner.

Statement of amounts paid to June 30, 1929, to certain counties in Oregon and Washington in lieu of accrued taxes on reverted lands of the Oregon & California Railroad grant

County	I Taxes 1913, 1914, and 1915, sec. 9, act of June 9, 1916	II Taxes 1916 to 1926, inclusive, sec. 1, act of July 13, 1926	III Taxes subsequent to 1926, payable direct from fund	Total taxes, under two appropriations and direct from Oregon & California fund
Oregon:				
Benton.....	\$73,151.84	\$274,925.64	\$17,539.16	\$365,616.64
Clackamas.....	108,843.67	351,409.17	25,603.02	485,855.86
Columbia.....	42,963.18	144,742.25		187,705.43
Coos.....	150,153.61	549,350.64	44,431.61	743,935.86
Curry.....	6,559.99	28,762.70	2,606.88	37,929.57
Douglas.....	315,399.87	1,664,479.04	161,303.32	2,141,182.23
Jackson.....	242,556.67	1,269,252.48	98,546.47	1,610,355.62
Josephine.....	127,327.75	582,281.64	43,231.38	752,840.77
Klamath.....	38,781.92	121,067.27	7,705.28	167,554.47
Lane.....	277,855.56	1,177,146.34	102,717.32	1,557,719.22
Lincoln.....	7,940.48	36,493.41	4,644.52	49,078.41
Linn.....	43,875.21	224,321.25	23,201.43	291,397.89
Marion.....	28,744.19	100,337.97	10,397.30	169,479.46
Multnomah.....	10,643.48	45,353.73		55,997.21
Polk.....	52,184.61	213,873.17	18,866.54	284,924.32
Tillamook.....	11,051.29	44,470.85	4,872.83	60,394.97
Washington.....	15,859.30	68,799.04	4,564.37	89,222.71
Yamhill.....	16,019.30	58,078.57	5,931.91	80,029.78
Washington: Clarke.....	1,132.13	3,764.57		4,896.70
Total.....	1,571,044.05	6,988,909.73	576,163.34	9,136,117.12

Mr. McCLINTIC of Oklahoma. It will be noted from the letter that this does not include all of the amounts to be distributed to the various counties, neither does it include several million dollars paid to the railroad company when their judgment against the Government was settled, and they were paid at a rate of \$2.50 for each acre.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McCLINTIC of Oklahoma. I object.

ALLOWING STATES TO QUARANTINE AGAINST SHIPMENTS OF
LIVESTOCK

The next business on the Consent Calendar was House Joint Resolution 326, for the amendment of the acts of February 2, 1903, and March 3, 1905, as amended, to allow the States to quarantine against the shipment thereto or therein of livestock, including poultry, from a State or Territory or portion thereof where a livestock or poultry disease is found to exist, which is not covered by regulatory action of the Department of Agriculture, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. LAGUARDIA. I object.

Mr. ANDRESEN. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. LAGUARDIA. Yes.

Mr. ANDRESEN. The purpose of this bill is to aid agriculture.

Mr. LAGUARDIA. It will not aid consumers.

Mr. ANDRESEN. It is to stop the shipment of diseased animals into any State of the Union, and it is to give the State the right to prevent such shipments. The States have been doing this for the last 50 years, but the Supreme Court in Oregon threw the whole thing aside, and the States now have no authority to go ahead and stop diseased animals coming into the States. If the gentleman wants to help pass constructive legislation he will not object.

Mr. JENKINS. Mr. Speaker, if the gentleman will yield I should like to ask him a question which may not be apropos of the matter considered in the bill, for I have not read it carefully. What I want to know is, whether this bill seeks to regulate the transfer of livestock from one State to another. My district runs along the Ohio River for about 150 miles and many of our people seeking to move their livestock across the

bridges are compelled to go to the trouble and great expense of procuring certificates from veterinarians, and I think that regulation is entirely too rigid, for I have known of cases where a poor man would have to go to this great expense when he would be taking his few household goods across the river and leading a cow behind. Sometimes the expense would be more than the cow was worth. If this bill does not cure this, something should be done to cure this trouble.

Mr. ANDRESEN. If a farmer in another State ships a diseased animal into the gentleman's State, this bill would give the gentleman's State the authority to stop that shipment.

The bill has been unanimously reported by the Committee on Agriculture, has the indorsement of the Department of Agriculture, and is requested by 37 different States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. I object.

The SPEAKER pro tempore. Objection is heard.

FIRE TRESPASS ON NATIONAL FORESTS

The next business on the Consent Calendar was the bill (H. R. 9630) to make the regulations of the Secretary of Agriculture relating to fire trespass on the national forests applicable to lands the titles of which revested in the United States by the act approved June 9, 1916 (39 Stat. 218), and to certain other lands known as the Coos Bay wagon road lands.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, when the bill was up before the Commissioner of the General Land Office stated there was no occasion for its passage. In his letter, under date of March 4, 1930, he says:

This department has a trusteeship to perform, namely, to sell the timber in a normal market; dispose of the land with as little delay as possible to private individuals; pay all obligations chargeable to the Oregon & California land grant fund, including the present deficiency of nearly \$6,000,000, and thereafter distribute any remaining surplus to the State, counties, reclamation fund, and to the general fund in the United States Treasury in the manner provided by the revestment acts. In the discharge of that trusteeship it should not be hampered by regulations now in force or hereafter to be promulgated by another department which has no responsibility with reference to the discharge of the trust. Furthermore, the practice heretofore followed has been found satisfactory to the homesteader, the timber buyer, and to the Government, and there is, therefore, no necessity for the attempted change.

Consideration of the bill was objected to.

TERMS OF COURT AT BLOOMINGTON, ILL.

The next business on the Consent Calendar was the bill (H. R. 11971) to amend section 79 of the Judicial Code (U. S. C., title 28, sec. 152) by providing two terms of court annually at Bloomington, in the southern division of the southern district of Illinois.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Reserving the right to object, this bill is with reference to establishing a new place to hold court in Illinois in the district represented by my friend Mr. HALL, for whom I have great regard. It is similar to another bill that was discussed yesterday.

I find in handling appropriations for public buildings that however little court is held in a town, if court is held there we have to provide for quarters, and it runs into a large amount of money. This bill contains a proviso that suitable rooms and accommodations for holding the said court at Bloomington are furnished free of expense to the United States until the United States shall make provision therefor in its own property. That would mean, perhaps, that about next winter a couple of hundred thousand dollars would be asked for. There is no statement in the committee report as to any recommendation of the department. It is urged that the judge lives there and it will be a convenience to him and to the litigants.

I am wondering if it will be agreeable to the gentleman from Illinois [Mr. HALL] to have the proviso read, following the words "each year," on page 2, line 1, as follows:

So long as suitable rooms and accommodations for holding the said court at Bloomington are furnished free of expense to the United States.

Mr. LAGUARDIA. "As long as" instead of "so long as."

Mr. CRAMTON. "As long as" will be acceptable.

Mr. HALL of Illinois. That would not be entirely agreeable, of course, because we would thereby establish the court there contingent upon the county doing something else.

Mr. CRAMTON. That would be my purpose.

Mr. HALL of Illinois. Well, that is not a very good way to establish a Federal court.

Mr. CRAMTON. The trouble is, in my judgment, we are spending entirely too much money to hold court on every four corners. With improved, paved roads, and automobiles, 50 or 60 miles to go to a Federal court is nothing. In the old days there might have been some excuse for it, but now there is not. We should not multiply these places for holding court. If a community wants a court bad enough to furnish a place, and the judge wants to go there, I do not object; but if it is going to involve a large charge on the Treasury, even in a district represented by my very good friend [Mr. HALL], I find it difficult to withhold objection.

Mr. HALL of Illinois. However difficult it is, I hope the gentleman will withhold it.

Mr. CRAMTON. I will not object with that amendment; otherwise I shall have to.

Mr. HALL of Illinois. There are three districts in Illinois. The northern district, which includes Chicago, has three judges. The eastern district has two judges and our district only has one. We are not asking for any more.

We are economical in running the Government's business in the State of Illinois, in the southern district, but we would like to have this court established there where the judge's chambers are, where he lives, where he does all of his business except the jury trials, and where he will be situated almost exactly halfway between Chicago and St. Louis, on a direct line, from which cities come many of the attorneys and litigants.

Mr. CRAMTON. I do not know that I blame the judge for not wanting to go to either place, but I would be glad to see how much court business they could scare up to be taken care of in Bloomington if they had this law. With my amendment they will have the chance to make the experiment and leave the rest to future Congresses.

Mr. LAGUARDIA. I will say to the gentleman from Illinois that the amendment suggested by the gentleman from Michigan will not hurt his bill at all.

Mr. CRAMTON. I shall be obliged to object unless the gentleman accepts my amendment.

Mr. HALL of Illinois. I will not accept it—

Mr. CRAMTON. Then I must object.

Mr. HALL of Illinois. Will the gentleman wait? Under duress I will accept it.

Mr. CRAMTON. Well, it is accepted. That is the important thing.

The regular order was demanded.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 79 of the Judicial Code (U. S. C., title 28, sec. 152) be, and is hereby, amended by adding to the provisions for terms of court in the southern district of Illinois the following:

"Two terms of court, in the discretion of the presiding judge, shall be held at Bloomington, in said southern division, on the second Monday of May and the first Monday of December each year: *Provided*, That suitable rooms and accommodations for holding the said court at Bloomington are furnished free of expense to the United States until the United States shall make provision therefor in its own property."

Mr. CRAMTON. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2, line 1, after the word "year," strike out the colon and the words "*Provided*, That" and insert the words "as long as."

Page 2, line 3, after the words "United States," strike out the remainder of the paragraph; so that, as amended, the lines will read: "December each year as long as suitable rooms and accommodations for holding the said court at Bloomington are furnished free of expense to the United States."

Mr. STAFFORD. Mr. Speaker, I rise in opposition to the amendment.

I was not following closely the colloquy between the gentleman from Michigan and the author of the bill, but I would like to inquire of the gentleman from Michigan whether it is the purpose that the holding of the court at Bloomington shall cease

when the National Government shall have erected a public building, with accommodations of chambers, and a court room for the holding of this court?

Mr. CRAMTON. There will be no authority for the holding of court after quarters cease to be provided. If a subsequent Congress wants to authorize a court there, regardless, and provide \$100,000 or \$200,000 for quarters, that will be up to that Congress.

Mr. STAFFORD. Assuming this legislative condition, that the Congress authorize a public building at Bloomington or quarters for a court room and chambers, then, additional authorization for the holding of court at Bloomington would have to be provided.

Mr. CRAMTON. The department would not submit an estimate for that under the law now suggested, and that is the purpose of it—to save the Government that money.

Mr. STAFFORD. I am having difficulty with this situation, that if the Government goes ahead without the needed authority on the part of Congress, Congress having already vested that authority in the Treasury Department to construct public buildings when a certain status as to postal receipts is attained.

Mr. CRAMTON. Oh, no. I will say that an item in an appropriation bill to provide for court rooms at Bloomington, under the law as suggested in my amendment, would be subject to a point of order. If no court was authorized to be held in Bloomington, then it would not be in order to make appropriation to provide a courthouse.

Mr. STAFFORD. The law was passed while I was not a Member of Congress, but I understand the Secretary of the Treasury, under the omnibus authorization, now has the privilege to erect public buildings without specific designation of the place. Am I in error in that statement?

Mr. CRAMTON. To erect public buildings at places where they are needed to take care of authorized Government activities.

Mr. STAFFORD. If the Secretary, under that omnibus provision, believes that a post-office building is needed at Bloomington, and there is also authority of law that court should be held there and provides for an adequate court room, then, under this amendment the sittings of the court would absolutely have to cease because it would be an expense to the Government of the United States. I think it is a ridiculous provision if it has that conclusion. I do not say that it has.

Mr. CRAMTON. If the gentleman had been sitting in the hearings on the deficiency appropriation bill and had found the tremendous expense on the Federal Treasury to provide court buildings where they are not needed for any purpose except to satisfy local whims and a convenience of judges, then I think he would be as keen as I am to protest against the designation of further places.

Mr. STAFFORD. Yesterday I took issue with the gentleman's position as to the establishment of a court at Easton, Pa. I knew the situation and I thought it would be better for the convenience of the litigants to have the advantage of having the trial of their cases near by than to be obliged to go down to Philadelphia, 70 miles away. I am not acquainted with the local situation covered by this bill.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. CRAMTON. Mr. Speaker, I rise in support of the amendment. I will say to the gentleman from Wisconsin that I gave, as always, careful weight to his suggestions yesterday and the suggestions of other gentlemen. I discussed that bill with the gentleman from Pennsylvania [Mr. COYLE], and we had practically agreed upon this kind of an amendment to the Pennsylvania bill. Now comes up this other item to-day. In handling these matters I am not actuated by personalities and I am not able to play favorites. If I am following a certain policy, it should be applied alike. I am only offering to this bill the kind of an amendment that was satisfactory to the gentleman from Pennsylvania [Mr. COYLE], and I am surprised on this occasion to find that I have not pleased my friend from Wisconsin.

Mr. STAFFORD. I can see where there will be a hiatus, and that no court will be held at Bloomington if the Government should erect a building there.

Mr. CRAMTON. There will be no public building there until Congress authorizes it.

Mr. STAFFORD. That hiatus will exist because of the amendment offered by the gentleman from Michigan, and if I did not have such a high regard for the gentleman from Michigan I would term it asinine.

Mr. CRAMTON. The gentleman knows that consent has been given for the consideration of this bill with the understanding that such an amendment was to be offered, and I think it very

strange that the gentleman should wait to make his criticism until I had given consent for the consideration of the bill and had offered the amendment.

Mr. STAFFORD. If the gentleman will permit, I was called out of the Chamber for about a minute, and when the amendment was first suggested I thought it only applied to line 1. I did not think the gentleman's amendment had the further purpose of striking out the court in the event the Government erected a building, and I am only pointing out the incongruity which the gentleman brings about by his amendment.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

DONATION OF SITES FOR PUBLIC BUILDINGS

The next business on the Consent Calendar was the bill (H. R. 12343) to authorize the Secretary of the Treasury to accept donations of sites for public buildings.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, this is the same bill that was called up one day and I objected. The reason urged at the time was that there was an offer of a gift of land somewhere in the State of Pennsylvania, such offer being contained in a will, and that if the gift were not accepted by the United States prior to July 1, the gift would be vitiated. I have no objection to amending this bill so as to permit the acceptance of that gift, but I do object to enacting a general statute permitting the Secretary of the Treasury to accept gifts of land for post-office sites, public buildings, "and so forth." The "and so forth" I read from the bill. It is not my language. It would establish a very dangerous condition. There will be races by small communities, large communities, and real-estate speculators to offer sites to the Government in order to get public buildings. If the gentleman from Indiana is ready with an amendment to accept the pending offer in Pennsylvania I shall not object to the bill, but I shall object to the broad general provisions of the bill.

Mr. BYRNS. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BYRNS. The gentleman, of course, is aware of the fact that the Government can now accept the donation of a site after Congress had made an appropriation. I submit that, if what the gentleman says is true with reference to what may happen under the law, then the present law ought to be repealed, but this bill does not affect the present situation in that respect in the slightest.

Mr. LAGUARDIA. I think the present law should be repealed and I certainly would not want to make it any broader.

Mr. BYRNS. I will say it does not increase the difficulty in the slightest. The gentleman knows, I take it, that the Treasury Department has stated that the present authorization will be sufficient, in its opinion, to erect a post office in every town in the country which has receipts of more than \$20,000. Is not that true?

Mr. ELLIOTT. That is, where needed.

Mr. BYRNS. That is, where a building is needed. Now, that being true, certainly no favoritism can be shown, for wherever a post office is needed in a town of over \$20,000 receipts there is going to be a building under the present authorization, and this simply enables the Government, if it deems it wise, to accept a site without cost, and it seems to me that where there is an opportunity to save possibly hundreds of thousands of dollars by having land donated, without any strings in the slightest tied to it, that no gentleman ought to object.

The gentleman lives in the great city of New York. The gentleman does not have the appeal and the urge upon him that those of us who represent districts throughout the country have, and, of course, we are all anxious to see this fund carried just as far as it can so that as many can get a building as possible, and I do hope the gentleman will not object to this bill which will enable possibly 5 or 6 or 7 or 8 additional buildings to be put up.

Mr. LAGUARDIA. Why can not the gentleman come in with each separate offer, or why can not the offer be made after the appropriation is authorized?

Mr. BYRNS. That is entirely impracticable, I will say to the gentleman, because they are going to make the allocation between now and December if they carry out their present plans.

Mr. STAFFORD. If the gentleman will permit, the gentleman from New York on a moment's reflection will see that that plan is not workable, because many of these allocations will take place while the Congress is in recess.

Mr. LAGUARDIA. Does the gentleman think it is fair to start this race among various communities in offering land free to the Government?

Mr. BYRNS. There is absolutely no race between communities. I will say to the gentleman.

Mr. LAGUARDIA. There will be if we establish this policy.

Mr. BYRNS. Suppose a town does feel anxious enough to get a building and undertakes to donate a \$20,000 site, or perhaps a \$30,000 site, and the Treasury Department feels that that location is the site that ought to be selected, does the gentleman think that the Treasury Department ought not to be in a position to accept such a donation of a \$20,000 site or a \$30,000 site?

Mr. LAGUARDIA. Let me ask the gentleman this question: Suppose another community of equal population has not the facilities or the means to offer such a site, it will then be penalized because some other community is offering a free site.

Mr. ELLIOTT. How will it be penalized?

Mr. BYRNS. Who can penalize it?

Mr. LAGUARDIA. It will be penalized because the other community will get the building.

Mr. ELLIOTT. Not necessarily.

Mr. BYRNS. I want to repeat my statement so the gentleman will see that such situation can not arise. The Treasury Department has informed me that the present authorizations are considered sufficient to authorize a public building in every town in this country which has receipts of \$20,000 or over, wherever such a building is necessary. How can any penalty be visited upon a town in that situation? All of them will be taken care of.

Mr. LAGUARDIA. Have they a specific authorization now?

Mr. BYRNS. No; it is a general authorization. The Secretary of the Treasury makes the allocation.

Mr. LAGUARDIA. The moment they have specific authorization they do not require this.

Mr. BYRNS. I will say to the gentleman that the Secretary of the Treasury makes the allocation.

Mr. STAFFORD. If the gentleman will permit, what difference does it make in the allocation of these sites whether the Government receives it as a gift or whether the Government pays for it. The board determines the location.

Mr. LAGUARDIA. Oh, the gentleman knows the pressure that is brought to bear.

Mr. STAFFORD. And the gentleman knows the pressure that is brought to bear when a purchase is made.

Mr. LAGUARDIA. I object, Mr. Speaker.

Mr. BYRNS. If the gentleman will reserve his objection a moment, I will say to the gentleman that in his own city of New York many millions of dollars of this authorization is to be expended. Now, here is an opportunity, possibly, to give some town with receipts of under \$20,000 an opportunity to get a Federal building, if the present authorization is sufficient for the others, and I think the gentleman ought not to object.

Mr. LAGUARDIA. I think the policy is bad, and I object.

Mr. ELLIOTT. Mr. Speaker, a few days ago when this bill was up it was objected to by the gentleman from New York [Mr. LAGUARDIA], and this is the second time it has been objected to.

Mr. STAFFORD. Mr. Speaker, I think I can enlighten the gentleman on that point. When the bill was up before it was not on Consent Calendar day, but at the opening of a general session of the House.

The SPEAKER pro tempore. The Chair is bound by the calendar as it appears and the calendar before the Chair does not show that the bill has heretofore been objected to.

The Clerk will report the next bill on the calendar.

JURISDICTION OF WAR CLAIMS ARBITER

The next business on the Consent Calendar was the bill (H. R. 9142) to extend the jurisdiction of the arbiter under the settlement of war claims act to patents licensed to the United States, pursuant to an obligation arising out of their sale by the Alien Property Custodian.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA reserved the right to object.

Mr. STAFFORD, Mr. COLLINS, and Mr. McCLINTIC of Oklahoma objected.

BRIDGE ACROSS THE OHIO RIVER NEAR EVANSVILLE, IND.

The next business on the Consent Calendar was the bill (S. 3298) to extend the times for commencing and completing the

construction of a bridge across the Ohio River at or near Evansville, Ind.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Ohio River at or near Evansville, Ind., authorized to be built by the State of Indiana, acting by and through its State highway commission, by the act of Congress approved March 2, 1927, are hereby extended one and three years, respectively, from March 2, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE CHOPTANK RIVER, CAMBRIDGE, MD.

The next business on the Consent Calendar was the bill (S. 3421) an act to authorize the Tidewater Toll Properties (Inc.), its legal representatives and assigns, to construct, maintain, and operate a bridge across the Choptank River at a point at or near Cambridge, Md.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. I object.

BRIDGE ACROSS THE PATUXENT RIVER, CALVERT COUNTY, MD.

The next business on the Consent Calendar was the bill (S. 3422) an act to authorize the Tidewater Toll Properties (Inc.), its legal representatives and assigns, to construct, maintain, and operate a bridge across the Patuxent River, south of Burch, Calvert County, Md.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, this bill and the prior bill both have adverse reports. I wish to inquire of the gentleman from Maryland the need of this legislation in view of the report of the Secretary of War that there is no necessity for it.

Mr. LAGUARDIA. I want to state my objection to these bridge bills, and it is not personal in any way.

Mr. GOLDSBOROUGH. Will the gentleman withhold his objection?

Mr. STAFFORD. Yes.

Mr. GOLDSBOROUGH. The situation is this: The locality greatly desires this bridge. They can acquire the capital to build them partially but not fully. Foreign capital for some reason or other that I do not understand thinks that special congressional legislation is needed. My judgment is that it is not needed. But the fact remains that it is impossible to get either one of the bridges constructed unless there is congressional legislation.

Mr. LAGUARDIA. I base my objection on the letter from the Secretary of Agriculture which states:

A bridge built at the point proposed, therefore, will connect at one end with a Federal-aid project and will derive a very large portion of its traffic from that road. It is the view of the department that a private toll bridge should not be authorized to be constructed at this point. It therefore is recommended that the pending bill be not passed.

Mr. STAFFORD. I base my objection on the letter of the Secretary of War, in which he says:

The Patuxent River is, however, wholly within the limits of the State of Maryland, and the proposed bridge can consequently be authorized by State law and duly constructed provided the plans are submitted to and approved by the Chief of Engineers and by the Secretary of War before construction is commenced, in conformity with the Federal law contained in section 9 of the river and harbor act of March 3, 1899. The enactment of this measure therefore appears to be unnecessary.

The gentleman from Maryland is attempting to explain away that objection from a practical standpoint.

Mr. GOLDSBOROUGH. I will say to the gentleman from New York that this bill is simply a safeguard. It is impossible to get the State of Maryland to construct the bridge at this time.

Mr. LAGUARDIA. I wish my colleague would not put the responsibility on me. It should be put upon the department. I am abiding by their judgment.

Mr. GOLDSBOROUGH. There is no use in pursuing a blanket policy where an explanation can be made.

Mr. LAGUARDIA. I say to my colleague that they should direct their efforts to the Bureau of Public Roads.

Mr. DENISON. Does not the gentleman think that this is a matter for Congress rather than the Bureau of Roads?

Mr. LAGUARDIA. The Bureau of Roads is interested in the proposition and has given the matter a great deal of study.

Mr. DENISON. No more study than Congress has given it.

Mr. LAGUARDIA. Has not the gentleman ingenuity enough to get by an objection of one Member?

Mr. DENISON. Let me say that there would be no better way to get this bridge than in the manner presented in this bill. Of course, there are other ways in which a bill could be passed, but this is the proper way to pass it.

Mr. LAGUARDIA. The gentleman has passed bad measures in an omnibus bill, from my viewpoint.

Mr. DENISON. Both the House and the Senate have approved those bills. I hope the gentleman will not press his objection.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. I object.

WATER-PIPE LINE UNDER LITTLE RED RIVER, ARK.

The next business on the Consent Calendar was the bill (S. 3466) to legalize the water-pipe line constructed by the Searcy Water Co. under the Little Red River, near the town of Searcy, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the water-pipe line of the Searcy Water Co., Searcy, Ark., constructed under the Little Red River, Ark., about 2 miles northeast of the town of Searcy, Ark., be, and the same is hereby, legalized to the same extent and with like effect as to all existing or future laws and regulations of the United States, as if the permit required by existing laws of the United States in such cases made and provided had been regularly obtained prior to the erection of said water-pipe line: *Provided,* That any changes of said water-pipe line which the Secretary of War may deem necessary and order in the interest of navigation shall be promptly made by the owners thereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS WEST PEARL RIVER, LA.

The next business on the Consent Calendar was the bill (S. 3868) granting the consent of Congress to the Lamar Lumber Co. to construct, maintain, and operate a railroad bridge across the West Pearl River, at or near Talisheek, La.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Lamar Lumber Co., its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the West Pearl River, at a point suitable to the interests of navigation, at or near Talisheek, La., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Lamar Lumber Co., its successors and assigns, and any party to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized to exercise the same as fully as though conferred herein directly upon such party.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS TENNESSEE RIVER, NEAR CHATTANOOGA

The next business on the Consent Calendar was the bill (S. 4157) to extend the times for commencing and completing a bridge across the Tennessee River, at or near Chattanooga, Hamilton County, Tenn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by an act of Congress approved March 2, 1929, to be built by the city of Chattanooga and the county of Hamilton, Tenn., across the Tennessee River, at or near Chattanooga, Hamilton County, in the State of Tennessee, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby reserved.

Line 9, strike out "the date of approval hereof" and insert "March 2, 1930."

The committee amendment was agreed to and the bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS ST. FRANCIS RIVER, ARK.

The next business on the Consent Calendar was the bill (S. 4196) to authorize the construction, maintenance, and operation of a bridge across the St. Francis River in Craighead County, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the St. Louis Southwestern Railway Co., a corporation organized and existing under the laws of the State of Missouri, be, and it is hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the St. Francis River at a point suitable to the interests of navigation in section 13, township 13 north, range 6 east, of the fifth principal meridian, in Craighead County, Ark., on a line of railway between Caraway, Ark., and Trumann, Ark., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, after line 5, insert:

"SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the St. Louis Southwestern Railway Co., its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation or person."

Page 2, line 15, strike out the figure "2" and insert "3."

The committee amendments were agreed to, and the bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, KANSAS CITY

The next business on the Consent Calendar was the bill (H. R. 10376) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, by reason of the lack of any report from the Department of Agriculture, I object.

Mr. DENISON. Does the gentleman think he ought to carry that objection as far as a case like this, where the men have started the work and have expended money?

Mr. LAGUARDIA. If the distinguished gentleman from Illinois will take the matter up with the Department of Agriculture and get their consent, I will not object. That department went into this, and they say:

When the original bill to authorize the construction of this bridge by the Interstate Bridge Co. was pending before your committee in 1928 this department submitted an adverse report thereon. It still is the view of the department that a private toll bridge should not be authorized at this point.

Mr. DENISON. Yes; but the gentleman understands that a year has elapsed since that time and that Congress authorized the bridge and that expenditures have been made.

Mr. LAGUARDIA. I am simply trying to follow out the policy of the gentleman's administration.

Mr. DENISON. That part of it is not my administration.

Mr. LAGUARDIA. It is a part of the policy of the administration.

Mr. DENISON. I am calling the attention of the gentleman to the fact that there may be an equity in this case. Congress authorized the construction of the bridge, notwithstanding that objection. This is merely an extension of the franchise on account of delays that have occurred.

Mr. LAGUARDIA. I have to be consistent.

Mr. STAFFORD. Has any work of construction been undertaken under the original authorization?

Mr. GUYER. Yes. They have begun construction, and the only reason why they have not gone on is because the Army Engineer's office at Kansas City did not have the proper papers ready or they would have the work farther along.

Mr. STAFFORD. I notice a letter in the report addressed to the gentleman by the manager of the Kansas City Chamber of Commerce, in which the following language is used:

Can you handle this as an emergency proposition and secure extension of franchise from Congress? Will now take some heroic action.

If construction has gone ahead under the original authorization, I do not think the gentleman from New York would hold up the construction and leave the matter in the air.

Mr. LA GUARDIA. And I am sure the Department of Agriculture would be the first one to say that notwithstanding the previous objection, Congress having authorized the bridge, and construction having commenced, they would have no objection.

Mr. STAFFORD. Oh, no. I think the gentleman will agree, after his acquaintance with the department officials, that after department officials have objected, sometimes like objectors in Congress, they do not like to change their positions.

Mr. LA GUARDIA. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice. If the gentleman can convince me that construction has actually and physically commenced, and by that I do not mean blue prints, I shall withdraw my objection.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

BRIDGE ACROSS DUCK RIVER, TENN.

The next business on the Consent Calendar was the bill (H. R. 11636) to legalize a bridge across Duck River, on the Nashville-Centerville Road, near Centerville, in Hickman County, Tenn., and approximately 1,000 feet upstream from the existing steel bridge on the Centerville-Dickson Road.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. ESLICK. Mr. Speaker, I ask unanimous consent to substitute Senate bill 4175, which has passed the Senate. The two bills are identical.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. PATTERSON. Reserving the right to object, I am glad to see such legislation as this. In connection with these bridges, I notice that the State highway commission has completed a splendid bridge on the Lee Highway, and they charge such small tolls at this bridge that it is a pleasure to pay them and go over it.

Mr. STAFFORD. Is the gentleman speaking as a Representative of the State of Alabama, making comparisons with conditions in his own State?

Mr. PATTERSON. I was not referring to any other State at all, but I crossed over this bridge on my way back and forth.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the Senate bill will be substituted for the House bill, and the House bill will lie on the table.

There was no objection, and the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the bridge now being constructed by the Highway Department of the State of Tennessee across Duck River on the Nashville-Centerville Road, near Centerville in Hickman County, Tenn., and approximately 1,000 feet upstream from the existing steel bridge on the Centerville-Dickson Road, be, and the same is hereby, legalized to the same extent and with like effect as to all existing or future laws and regulations of the United States as if the approval of plans of said bridge by the Chief of Engineers, and the Secretary of War required by the existing laws of the United States had been regularly obtained prior to commencement of construction of said bridge.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS NIAGARA RIVER AT NIAGARA FALLS, N. Y.

The next business on the Consent Calendar was the bill (H. R. 11903) granting the consent of Congress to the construction of a bridge across the East Branch of the Niagara River.

There being no objection to its consideration, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Niagara Frontier Bridge Commission, a State commission created by act of the Legislature of the State of New York, chapter

594 of the Laws of 1929, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the east branch of the Niagara River, at a point suitable to the interests of navigation, from the city of Niagara Falls, in the county of Niagara and State of New York, at a point east of Evershed Avenue in said city of Niagara Falls, to Grand Island, in the county of Erie and State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That this act shall be null and void unless the construction of said bridge is commenced within two years and completed within five years from the date of approval hereof.

Sec. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With committee amendments as follows:

Page 1, line 6, strike out the word "and."

Page 1, line 7, strike out the word "toll."

Page 2, line 11, insert:

"Sec. 3. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested."

Page 3, line 8, strike out the figure "3" and insert the figure "4."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

Amend the title so as to read: "A bill granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Niagara Falls, N. Y."

BRIDGE ACROSS NIAGARA RIVER AT TONAWANDA, N. Y.

The next business on the Consent Calendar was the bill (H. R. 11933) granting the consent of Congress to the construction of a bridge across the east branch of the Niagara River.

There being no objection to its consideration, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Niagara Frontier Bridge Commission, a State commission, created by act of the Legislature of the State of New York, chapter 594 of the laws of 1929, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the east branch of the Niagara River, at a point suitable to the interests of navigation, from the town of Tonawanda, about midway between the southerly city limits of the city of Tonawanda and the northerly city limits of the city of Buffalo, to Grand Island, in the county of Erie and State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That this act shall be null and void unless the construction of said bridge is commenced within two years and completed within five years from the date of approval hereof.

Sec. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With committee amendments, as follows:

Page 1, line 6, strike out the word "and."

Page 1, line 7, strike out the word "toll."

Page 2, line 11, insert:

"Sec. 3. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter

be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested."

Page 3, line 6, strike out the figure "3" and insert the figure "4."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

A similar bill was laid on the table.

Amend the title so as to read: "A bill granting the consent of Congress to the Niagara Frontier Bridge Commission, its successors and assigns, to construct, maintain, and operate a toll bridge across the east branch of the Niagara River at or near the city of Tonawanda, N. Y."

BRIDGE ACROSS THE MONONGAHELA RIVER, W. VA.

The next business on the Consent Calendar was the bill (H. R. 11934) authorizing the Monongahela Bridge Co. to construct, maintain, and operate a bridge across the Monongahela River at or near the town of Star City, W. Va.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, the West Virginia Bridge Commission has issued a statement which I ask unanimous consent to insert in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Following is the statement referred to:

THE TOLL BRIDGE DECISION

The days of the toll bridge, happily, seem numbered in West Virginia. Yesterday's decision of the State supreme court upholding the constitutionality of the act creating the West Virginia Bridge Commission removes the last real obstacle to their ultimate acquisition.

Under authority conferred by the law in question, the commission may build or acquire bridges, pay for them through a toll charge, and throw them open to free use when the debt is discharged.

That is the way, unquestionably, to establish free bridges. It is the fairest sort of procedure that could be imagined. It neither confiscates private property nor imposes a general burden upon the public. As in the case of the gasoline tax, it requires those who use the bridges to pay for them, but exacts no more.

The toll bridge has no proper place in the life of to-day. Traffic is too heavy, covers too wide an area, passes over too many streams. Bridges are too much public necessities to countenance their continued ownership by private interests. There is no more excuse for private capital owning a bridge to-day than for it to operate a section of highway.

Time was when the privately owned toll bridge was a necessity. Indeed, in the early days it would have been difficult to finance a public bridge in most places even if public opinion could have been brought to support the idea. As pioneers, the buildings of toll bridges served a useful purpose, and were entitled to their reward. And to-day they are entitled to reasonable compensation for their property taken over by the public.

We can not shut our eyes to the fact, however, that changing conditions point to the wisdom of public ownership of bridges, and we should rejoice that West Virginia is in position to proceed with the public acquisition of bridges under so eminently fair a plan. (Reprint of editorial in Wheeling (W. Va.) News, May 14, 1930.)

THE STATE BRIDGE COMMISSION OF WEST VIRGINIA,
MAIN OFFICE, CAPITOL BUILDING,
Charleston, W. Va.

Subject: Elimination of toll bridges.

A resolution addressed to you as one of the honorable Members of the Congress of the United States was unanimously adopted at a recent meeting the State Bridge Commission of West Virginia, in which reasons are assigned why franchises for toll bridges in this State should not be granted in the future to private interests or individuals.

The Supreme Court of West Virginia has just handed down a decision in a friendly proceeding for the adjudication of the toll bridge act passed by the last regular session of our legislature, completely upholding the authority of the bridge commission. Through the instrumentality of this commission the State may henceforth acquire or construct toll bridges and throw them open free of tolls at the earliest possible time.

The resolution states briefly the premises on which this request is based and, at the direction of the State bridge commissioners, a certified copy is conveyed herein for your earnest consideration. Your full cooperation in this matter will be greatly appreciated by the officials and

citizens of West Virginia and the ever-increasing number of automobilists from everywhere who use our splendid system of highways and bridges.

Resolution

Whereas the State Bridge Commission of West Virginia was created in pursuance to, and in conformity with chapter 8 of the acts of the West Virginia Legislature, 1920, which has for its intent the ultimate elimination of toll bridges in West Virginia; and

Whereas the said act authorizes this commission to acquire and to construct, whenever it shall deem such construction expedient, any toll bridge across any navigable river lying wholly or partly within the State or forming a boundary of the State; and

Whereas the authority of the State bridge commission has been upheld in our courts and the commission is proceeding with all due diligence to function under its authority, by means of which the bridges acquired or constructed are to be thrown open for the use of the public free of tolls when the bonds issued to pay for same are retired by revenue derived from tolls collected thereon; and

Whereas the State Bridge Commission is a regularly constituted department of the State government, clothed with full authority in matters pertaining to toll bridges in this State and as a result of the saving in cost which the commission can obviously effect in the construction of a toll bridge by the elimination of promotion fees and other unnecessary expenses, including taxation, thereby permitting such bridge to retire its bonds and to become available to the public as a free bridge at a much earlier date: Therefore be it

Resolved, That an overture be, and the same is hereby made by the State Bridge Commission of West Virginia to the Congress of the United States of America praying that, in consideration of the facts set forth above and for other apparent and valid reasons, the Members of your honorable body do not grant to private interests or individuals, franchises for the construction of toll bridges proposed to be located within or partly within the State of West Virginia in the future, or further extensions of franchises already granted upon which no actual construction has been begun.

STATE OF WEST VIRGINIA,

The State Bridge Commission of West Virginia, to wit:

I, A. C. Kimpel, secretary-treasurer of the State Bridge Commission of West Virginia, and as such the legally constituted and duly authorized custodian of its books, papers, and records, do hereby certify that the foregoing is a true copy of an order passed and entered of record by the State Bridge Commission of West Virginia on the 22d day of April, 1930.

Given under my hand and the seal of the State Bridge Commission of West Virginia this 19th day of May, 1930.

A. C. KIMPEL,
Secretary-Treasurer of the State Bridge
Commission of West Virginia.

Mr. LAGUARDIA. I have conferred with the author of the bill [Mr. BOWMAN], and he is satisfied to accept an amendment providing that the bridge must be approved by the State Bridge Commission of West Virginia. With that understanding, I shall not object.

Mr. PATTERSON. Is that one of the private toll bridges?

Mr. LAGUARDIA. The State of West Virginia will control it. It is an experiment.

Mr. BACHMANN. Mr. Speaker, I think my colleague [Mr. BOWMAN] wants to offer an amendment.

Mr. PATTERSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. BACHMANN. Mr. Speaker, in the State of West Virginia our legislature passed a law putting all bridges within the State under the control of the State commission. That commission is functioning very nicely for the protection of the public. The jurisdiction of that commission covers all the bridges within the State. The amendment, I understand, provides that the matter be referred to the bridge commission in West Virginia and will require their approval.

Mr. LAGUARDIA. I think the commission would take into consideration the cost, and the maintenance, and the retirement of bonds, and all such matters, and they will fix a reasonable fare.

Mr. PATTERSON. The point I had in mind is that a lot of these private toll bridges require the payment of 35 or 40 cents for toll, but when you strike a State bridge you have to pay as much as \$1.

Mr. BACHMANN. The intention is to throw all these bridges open to the public.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from West Virginia if the commission in West Virginia has sufficient funds and personnel at its disposal to effectively supervise and regulate these bridges? We pass private toll bridge bills and incorporate certain provisions which are intended to safeguard the public, but there is not sufficient appropriations or personnel available to permit an actual survey of the whole situation and

effective regulation by the department. It is a regulation by name only.

Mr. BACHMANN. That is the very thing we are trying to work out in West Virginia for the people.

Mr. SCHAFER of Wisconsin. They are functioning and checking up on these private toll bridges?

Mr. BACHMANN. They are.

Mr. SCHAFER of Wisconsin. I hope the Congress will look into the check up made by the West Virginia State commission in the future and provide some kind of personnel and a sufficient appropriation so that Congress can have an absolutely fair check on the private toll bridge monopolies granted by acts of the Congress.

Mr. BACHMANN. Let me say further that there was a printed document from our bridge commission of West Virginia filed before the committee. The gentleman from West Virginia [Mr. SMITH] filed it with the committee.

Mr. LA GUARDIA. Did he also put in the reprint?

Mr. BACHMANN. Yes. It is all filed with the committee.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER of Wisconsin. In view of the statement of the gentleman from West Virginia [Mr. BACHMANN] I shall not object.

Mr. STAFFORD. I shall not object.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Monongahela Bridge Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Monongahela River, at a point suitable to the interests of navigation, at or near the town of Star City, W. Va., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, the State of West Virginia, any public agency or political subdivision of said State, within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of said State of West Virginia governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 10 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interests in real property; and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by the State of West Virginia or by any public agencies or political subdivisions thereof, or by either of them, as provided in section 2 of this act, and if tolls are thereafter charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the amount paid therefor, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 4. The said Monongahela Bridge Co., its successors and assigns, shall, within 90 days after the completion of such bridge, file with the Secretary of War and with the Highway Department of the State of West Virginia a sworn itemized statement showing the actual cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon the request of the Highway Department of the State of West Virginia, shall, at any time within three years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the costs alleged in the statement of costs so filed, and shall make a finding

of the actual and reasonable costs of constructing, financing, and promoting such bridge. For the purpose of such investigation the said Monongahela Bridge Co., its successors and assigns, shall make available all of its records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 2 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Monongahela Bridge Co., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 3, strike out the word "facilitate" and insert in lieu thereof the word "promote."

Page 2, line 7, after the word "war," insert the word "either."

Page 2, line 8, after the word "any," strike out the words "public agency or."

Page 2, line 9, strike out the words "of said State" and insert the word "thereof."

Page 2, line 15, after the words "laws of," strike out the word "said" and insert the word "such"; after the word "State," strike out the words "of West Virginia."

Page 3, line 7, after the word "any," strike out the words "municipality or."

Page 3, line 8, after the word "public," strike out the word "agencies" and insert the word "agency."

Page 3, line 8, after the words "agency or," insert the word "other."

Page 3, line 8, after the word "political," strike out the word "subdivisions."

Page 3, line 9, insert the word "subdivision," and after the word "thereof," strike out the words "or by either of them as provided in" and insert in its place the words "under the provisions of."

Page 3, line 18, after the word "period," insert the word "of."

Page 3, line 23, after the word "fund," insert the word "of."

Page 4, line 11, insert the word "original."

Page 4, line 14, after the word "and," strike out the word "upon" and insert the word "at."

Page 4, line 21, after the word "bridge," strike out the word "For" and insert in lieu thereof a semicolon and the word "for."

Page 5, line 8, after the words "successors and," strike out the word "assigns" and the semicolon and insert the word "assigns" and a comma.

The committee amendments were agreed to.

Mr. LA GUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from New York [Mr. LA GUARDIA] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LA GUARDIA: Page 1, line 6, after the word "authorized," insert "subject to the approval of the State Bridge Commission of West Virginia."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

CONSTRUCTION OF A BRIDGE ACROSS LAKE SABINE, NEAR PORT ARTHUR, TEX.

The next business on the Consent Calendar was the bill (H. R. 11966) to extend the times for commencing and completing the construction of a bridge across Lake Sabine at or near Port Arthur, Tex.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to direct an inquiry to the author of the bill, the gentleman from Texas [Mr. Box], as to the potency of the criticism of the Acting Secretary of the Department of Agriculture as found in the last sentence of his letter of May 9, 1930, to the chairman of the Committee on Interstate and Foreign Commerce, in which he uses this language:

However, almost two years have elapsed since the original authorization was granted for Mr. McKee to construct this bridge, and it is not believed that he should be granted a further extension of time to the

possible exclusion of others when he is apparently unable to take advantage of the rights already conferred upon him by Congress.

Mr. BOX. If the gentleman please, the work of constructing this bridge has not been possible because it has been necessary for the grantee to get certain rights from both the State of Louisiana and the State of Texas. The Texas Legislature and the governor did not act finally and favorably until recently. At each time heretofore he has expected to be able to get that authority from the two States, but has heretofore been disappointed. That authority, or certain rights necessary to the enjoyment of it, has now been granted by both States.

Mr. STAFFORD. Will the gentleman inform the House how recently the authority has been granted?

Mr. BOX. The act of the Texas Legislature was passed and approved during recent months, since the last session of Congress. The Louisiana authorities acted earlier.

Mr. STAFFORD. So the gentleman states that Mr. McKee is a man of some parts and this is not simply a speculative, stock-jobbing proposition?

Mr. BOX. I am unable to make any statement as to the details of the man's financial ability. I know it is a city of about 50,000 people, and that the chamber of commerce and those concerned seem to have sufficient confidence in his undertakings to make them willing to grant him this right. The border territory of Louisiana seems anxious to have him authorized to construct the bridge. Both of the States interested have granted the necessary rights.

Mr. STAFFORD. That is sufficient.

Mr. LA GUARDIA. But the department recommends against the granting of further time?

Mr. BOX. That is the matter which was raised by the gentleman from Wisconsin. It is simply a matter of extension of time.

Mr. STAFFORD. The gentleman has responded to my inquiry, that the reason why the work has not been done is because it was necessary to obtain authority from the respective States, which has only recently been granted.

The SPEAKER pro tempore. Is there objection?

Mr. PATTERSON. Reserving the right to object, I want to ask one more question about this. Unless the gentleman can show or will give reasonable assurance that this will be controlled by the city or the State, so that the toll charge will be controlled, I shall be compelled to object.

Mr. BOX. The act itself gives that right to the Secretary of War, and the Secretary of War does not object.

Mr. PATTERSON. But the Secretary of Agriculture seems to disapprove.

Mr. BOX. He simply thinks it is useless to grant a further extension, not realizing the fact that it has not been possible for the grantee to begin the construction of the bridge because he had to get certain rights from the States of Louisiana and Texas. He did not get the latter until during recent months, during the present year. The bridge is to be several miles long, across a shallow lake. This plan of granting such a franchise as this bill carries appears to be the only opportunity they will have to get that causeway constructed. It will be 4 or 5 miles long across Sabine Lake.

Mr. PATTERSON. Would it be wise to offer an amendment there?

Mr. BOX. I believe, if the gentleman will permit, that the rights of the public are adequately safeguarded.

Mr. DYER. The Secretary of War controls that.

Mr. PATTERSON. And the gentleman thinks that under the control of the Secretary of War, they will be adequately protected?

Mr. DYER. They are in my State.

Mr. COCHRAN of Missouri. It has been held time and again that when Congress grants a franchise such as this the State has absolutely no jurisdiction, and there is no reason that I know of why this individual found it necessary to get any permission from either the State of Louisiana or the State of Texas.

Mr. BOX. Apparently it has been all the while understood by the authorities of both States that this is necessary. All of the local people seem to take the same view, as do both the State of Louisiana and the State of Texas.

Mr. COCHRAN of Missouri. The gentleman from Illinois, chairman of the Bridge Committee [Mr. DENISON], will tell you it is not necessary.

Mr. BOX. That may be correct. If the gentleman knew all of the facts as to the necessity or desirability of acquiring adjacent lands for bridgeheads or kindred purposes he might take a different view. In any event, the belief that these

things were necessary, acted upon by all parties, has created a situation with which Mr. McKee, the grantee, has had to deal.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across Lake Sabine, between a point at or near Port Arthur, Tex., and a point opposite in Cameron Parish, La., authorized to be built by H. L. McKee, his heirs, legal representatives, and assigns, by the act of Congress approved May 18, 1928, and extended by the act of Congress approved March 2, 1929, are hereby extended one and three years, respectively, from May 18, 1930.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 8, strike out the word "and" and insert the word "heretofore."

Page 2, line 1, after the word "hereby," insert the word "further."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

EMPLOYMENT CONDITIONS IN BOSTON

Mr. McCORMACK of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a letter which I have received in relation to the employment conditions in Boston.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD by inserting a letter which he has received in reference to employment conditions in Boston. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, from whom is the letter?

Mr. McCORMACK of Massachusetts. This letter is from the director of employment of the city of Boston.

Mr. SCHAFER of Wisconsin. A municipal officer?

Mr. McCORMACK of Massachusetts. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McCORMACK of Massachusetts. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following letter which I have received in relation to the employment conditions in Boston:

CITY OF BOSTON, EMPLOYMENT BUREAU,
Boston, Mass., June 2, 1930.

Hon. JOHN McCORMACK,

Member of United States Congress, Washington, D. C.

DEAR CONGRESSMAN: As the director of the Municipal Employment Bureau of Boston, connected with the United States Department of Labor, I think it only proper that you, as a Representative in Congress from a Boston district, should be informed of the conditions existing in this city relative to employment.

From personal contact and reports from the contact men in my office, with over 1,000 large firms, factories, and business houses, we find the same condition existing everywhere, namely, a deplorable state of unemployment; in fact, the worst state in the memory of any and all.

The program of efficiency, the machination of man power, and the tightness of money have brought about a serious condition that will be historical.

Through a careful check of my daily, weekly, and monthly reports I find that instead of improving as the warmer weather approaches, the condition of unemployment is steadily growing worse.

A concrete example of this may be drawn from the comparison between 1929 and 1930 contacts with such firms as the Beacon Oil and the United States Army Stores.

In previous years a large oil company has at this season put to work through this office some 200 men; the United States Army Stores a like number; in 1930, these concerns have not placed to work a single man.

A department store, which in 1927 ranked first among the department stores of the country, within the last 3 months has laid off over 1,000 of its help; men and women who have worked for the concern for from 5 to 25 years. These are but a few of the concerns which could be mentioned.

In the city of Boston building-trade unions there are about 25,000 members, of whom only 25 per cent are working as compared to 30 to 35 per cent who were working in March.

I again reiterate that the trend is downward as the year goes on, and you, as a Representative of the people of this State in Congress, should be informed of this condition.

Respectfully yours,

JOHN J. SHIELDS,
Director of Employment.

BRIDGE ACROSS THE LUMBER RIVER

The next business on the Consent Calendar was the bill (H. R. 11974) granting the consent of Congress to the Beaufort County Lumber Co. to construct, maintain, and operate a railroad bridge across the Lumber River at or near Fair Bluff, Columbus County, N. C.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Beaufort County Lumber Co., its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the Lumber River, at a point suitable to the interests of navigation, at or near Fair Bluff, Columbus County, N. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the Beaufort County Lumber Co., its successors and assigns; and any party to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise is hereby authorized to exercise the same as fully as though conferred herein directly upon such party.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Mr. COYLE. Mr. Speaker, I ask unanimous consent to return to No. 492 on the Consent Calendar, H. R. 7926, to provide for terms of the United States District Court for the Eastern District of Pennsylvania to be held at Easton, Pa., which bill was objected to yesterday by the gentleman from Michigan [Mr. CRAMTON]. An amendment which is agreeable to the gentleman from Michigan is to be offered to the bill, and in view of that amendment the gentleman has withdrawn his objection.

Mr. STAFFORD. Is this the bill relating to the holding of court at Easton, Pa.?

Mr. COYLE. Yes.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to return to No. 492 on the Consent Calendar, H. R. 7926. Is there objection?

There was no objection.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BOYLAN. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if this bill carries with it a proviso for the appointment of an additional judge?

Mr. COYLE. It does not.

Mr. PATTERSON. Mr. Speaker reserving the right to object, was this bill passed over yesterday?

Mr. COYLE. This bill was passed over yesterday without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the terms of the United States District Court for the Eastern Judicial District of Pennsylvania shall be held at Easton, Pa., on the first Tuesdays in June and November of each year: *Provided, however,* That all writs, precepts, and processes shall be returnable to the terms at Philadelphia and all court papers shall be kept in the clerk's office at Philadelphia unless otherwise specially ordered by the court, and the terms at Philadelphia shall not be terminated or affected by the terms herein provided for at Easton.

With the following committee amendment:

On page 2, line 3, after the word "Easton," insert a colon and the following proviso: "*Provided further,* That suitable accommodations for holding court at Easton are furnished free of expense to the United States."

Mr. COYLE. Mr. Speaker, I offer an amendment to the committee amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. COYLE: On page 2, line 3, after the word "That," insert "this authority shall continue only during such time as."

Mr. DYER. Will the gentleman yield?

Mr. COYLE. Yes.

Mr. DYER. What is the intent of this amendment?

Mr. STAFFORD. Mr. Speaker, may we have the entire clause read, with the proposed amendment incorporated?

Mr. COYLE. I think the entire clause will explain it very readily.

The SPEAKER pro tempore. Without objection, the Clerk will report the entire clause with the amendment incorporated.

There was no objection.

The Clerk read as follows:

Provided further, That this authority shall continue only during such time as suitable accommodations for holding court at Easton are furnished free of expense to the United States.

Mr. DYER. Of course, that is taken for granted, but as the gentleman from Michigan sees fit to allow the bill to pass with that amendment in it I will not enter an objection, although it is a foolish amendment, in my judgment.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

TERRITORY OF HAWAII

The next business on the Consent Calendar was the bill (H. R. 11051) to amend section 60 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understand that this bill extends the right of suffrage to the women of Hawaii.

Mr. HOUSTON of Hawaii. No; the right of suffrage has already been extended by two affirmative acts, once by the act which is now section 618, title 48, United States Code, and subsequently by the nineteenth amendment.

Mr. STAFFORD. What is the purpose of the pending bill?

Mr. HOUSTON of Hawaii. In the report it is shown that this perfecting amendment is necessary by reason of the passage of Mr. FITZGERALD's bill to repeal obsolete statutes. Amongst others it strikes out section 618, title 48, of the United States Code, and in the supplement to the code it says that "apparently the nineteenth amendment supersedes the provisions of section 618." If they had not put that word "apparently" in, there might not have been any reason for this bill, but this will clear up the whole situation and in the organic act it will be shown that the requirement for suffrage is simply citizenship.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. HOUSTON of Hawaii. Yes.

Mr. SCHAFER of Wisconsin. Referring to the fifth qualification on page 2 of the bill—

Be able to speak, read, and write the English or Hawaiian language—how much of the English or Hawaiian language are these voters supposed to be able to speak and write before they are qualified to vote? Is this another grandfather clause such as they have in the South, under which many citizens of the colored race are denied the right to vote, which right is guaranteed to them under the Constitution of the United States?

Mr. HOUSTON of Hawaii. We have no difficulties of a racial character in Hawaii.

Mr. SCHAFER of Wisconsin. Who is going to determine how much of the English or the Hawaiian language a voter must be able to read and write before he can vote?

Mr. HOUSTON of Hawaii. That is set out by the Legislature of the Territory of Hawaii.

Mr. LAGUARDIA. That is the law now.

Mr. HOUSTON of Hawaii. That is the law now.

Mr. SCHAFER of Wisconsin. Then what is the real purpose of the bill?

Mr. HOUSTON of Hawaii. To strike out the word "male" in the organic act.

Mr. SCHAFER of Wisconsin. If that is the purpose, I shall not object, but I do not see why the gentleman had to repeat so much of the existing law in his bill and clutter up the statutes.

Mr. HOUSTON of Hawaii. That is all it is—just the word "male" is stricken out.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 69 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended (U. S. C., title 48, sec. 617), is amended by striking

out the word "male" in the second paragraph of said section, so that it will read as follows:

"SEC. 60. That in order to be qualified to vote for representatives a person shall—

"First. Be a citizen of the United States.

"Second. Have resided in the Territory not less than one year preceding and in the representative district in which he offers to register not less than three months immediately preceding the time at which he offers to register.

"Third. Have attained the age of 21 years.

"Fourth. Prior to each regular election, during the time prescribed by law for registration, have caused his name to be entered on the register of voters for representatives for his district.

"Fifth. Be able to speak, read, and write the English or Hawaiian language."

With the following committee amendment:

Page 1, line 3, strike out the figures "69" and insert in lieu thereof the figures "60."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FEDERAL POWER COMMISSION

Mr. PARKER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3619) to reorganize the Federal Power Commission, with a House amendment, insist on the House amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. PARKER, HOCH, and RAYBURN.

MEMORIAL BUILDING AT CHAMPOEG, OREG.

The next business on the Consent Calendar was the bill (H. R. 7983) to authorize the construction of a memorial building at Champoege, Oreg.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA, Mr. STAFFORD, Mr. COLLINS, and Mr. McCLINTIC of Oklahoma objected.

THE POST-OFFICE BUILDING AT WASHINGTON, D. C.

The next business on the Consent Calendar was the bill (H. R. 11144) to authorize the Secretary of the Treasury to extend, remodel, and enlarge the post-office building at Washington, D. C., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCLINTIC of Oklahoma. Mr. Speaker, reserving the right to object, I would like to know who has charge of this piece of legislation. I have not had time to look into the merits of the measure. Does this bill in any way have anything to do with the Post Office Department building proper?

Mr. ELLIOTT. No; I would say to the gentleman from Oklahoma that the building that is to be remodeled is the post-office building down by the Union Station. This building was erected and occupied in September, 1914. It was really not built large enough in the first place, and the post office is badly congested. They need this additional space.

The trouble in the matter is that when we drafted the original building law it was not brought to our attention that there would be any need for anything to be done to the Washington post office. Consequently, the program did not provide for building any post office in Washington. The District part of the bill provided only for the erection of buildings down in the triangle and did not reach this particular situation. So when it was brought to our attention by the Postmaster General that it was necessary to build an extension to this building we had to bring in a new law, and there being only one case of this kind, we brought in a bill affecting this one office.

Mr. McCLINTIC of Oklahoma. This will be an extension of the present postal facilities down close to the Union Station?

Mr. ELLIOTT. Yes.

Mr. McCLINTIC of Oklahoma. Costing approximately how much?

Mr. ELLIOTT. Not to exceed \$4,000,000.

Mr. McCLINTIC of Oklahoma. Does the business of the city at the present time justify such an expenditure?

Mr. ELLIOTT. The Postmaster General says that the congestion is very great. In the last 12 years the business of this office has increased more than 100 per cent. When this build-

ing was first erected they had about 1,000 employees there, and they now have nearly 1,800 working in the same quarters.

Mr. McCLINTIC of Oklahoma. May I ask the gentleman this further question? According to information given me, there is a kind of planning commission or a Fine Arts Commission here in Washington that approves all the plans with respect to the erection of additions to buildings or any new buildings. Does this proposed legislation give to this commission the right to have supervision over the making of plans?

Mr. ELLIOTT. This bill does not affect any law that there may be on the statute books now with regard to their supervision of such plans. This bill merely authorizes the construction of an addition to the present building.

Mr. McCLINTIC of Oklahoma. If I am correctly informed, it is now proposed to tear down the splendid stone Post Office Building on Pennsylvania Avenue, which, according to my viewpoint, is one of the best constructed buildings in the entire country. Immediately across the street from the same is the new building constructed for the Internal Revenue Bureau that has a roof on it which looks like it was made for a chicken house, and the back end of the building looks a good deal like a barn. When you compare that building with the National Museum you find this planning commission has not in any way followed architectural lines, and for that reason I have asked whether we had such a commission. If we do have such a commission, it certainly seems to me they have permitted the construction of a monstrosity that is clearly out of line in every way when it comes to considering the architectural beauty of surrounding buildings such as the National Museum and the Post Office Building, and I am hoping they will not tear down the splendid stone Post Office Building in order to build something to conform with the building which is next to it.

Mr. LAGUARDIA. Will the gentleman yield? The gentleman would not want the building to remain if it is out of harmony and symmetry with all of the other buildings?

Mr. McCLINTIC of Oklahoma. The building I am talking about is not in harmony with the National Museum. It is a better building than either one of them, and if the gentleman has any recollection of the buildings in Italy and France and other countries he will know that this is more similar to those buildings than those we have here. It seems to me a crime to destroy such a splendid building as the present Post Office Building, as it is the most substantially constructed edifice in Washington and I want to protest against such a policy of extravagance.

Mr. STAFFORD. Reserving the right to object, we hear much these days about saving in the expenditure of public money. The report before us does not show any pressing need of going to the expense of spending \$4,000,000 for the enlargement of the Washington City Post Office. Neither does the report show that this has the approval of the Budget. I think we are going pretty wild—and here is the watchdog of the Treasury, the gentleman from Michigan [Mr. CRAMTON]—in expending this amount of money. There will be no harm done to the Postal Service if we do not go ahead with the expenditure of \$4,000,000 at this time.

Mr. CRAMTON. Let me say—

Mr. STAFFORD. In view of the fact that I have taken the gentleman's name in vain, I yield.

Mr. CRAMTON. Not at all—if the gentleman wants information he is proceeding correctly. [Laughter.] If this authorization goes through the expenditure will be made out of the regular appropriation for public buildings in Washington, for which there have been Budget estimates theretofore, and there are now before Congress additional estimates for some \$25,000,000 for buildings in Washington and in the country. It is in pursuance of these Budget estimates that money will actually be appropriated for this construction. The building has been approved by the committee authorized by Congress to submit a program of building in Washington.

Mr. STAFFORD. This does not add anything to the beautification of Washington.

Mr. CRAMTON. It is a matter of utility to take care of the great needs of the Post Office Department.

Mr. STAFFORD. The report shows no pressing condition. I thought here was an instance where we could save money in these days of diminishing receipts and mounting appropriations.

Mr. CRAMTON. I have enough responsibility for what I say without being responsible for what the gentleman from Wisconsin says I say. [Laughter.]

Mr. STAFFORD. I do not want to throw any responsibility on the gentleman from Michigan for what I say, and certainly if it affects the arid views of the gentleman.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, further reserving the right to object, would the gentleman be willing to accept

an amendment that this shall be approved by the Fine Arts Commission and the Postmaster General?

Mr. ELLIOTT. I have no objection, because I think the law already requires it.

Mr. DYER. That is in the general law.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to enter into contracts for the extension, remodeling, and enlargement of the post-office building, Washington, D. C., on land already owned by the Government in square 678, including the extension of existing mechanical equipment, mail handling and conveying apparatus, etc., where necessary, in an amount not exceeding \$4,000,000, to be charged against the total authorization of \$315,000,000 made by the act of May 25, 1926, and acts amendatory thereof.

With the following committee amendments:

Page 2, line 1, after the figures "\$4,000,000," strike out the words "to be charged against the total authorization of \$315,000,000 made by the act of May 25, 1926, and acts amendatory thereof."

The committee amendment was agreed to.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 1, after the figures "\$4,000,000," insert "Provided, That the plans and specifications for such building shall be approved by the Fine Arts Commission and by the Postmaster General."

The amendment was agreed to.

Mr. LA GUARDIA. Mr. Speaker, I offer the following amendment: On page 1, line 9, strike out the words "and so forth."

Mr. CRAMTON. Mr. Speaker, I ask to be heard in opposition to the amendment. I have in my hand the recent hearings before the Committee on Appropriations with reference to the public-building program. I find that the Fourth Assistant Postmaster General made this statement with reference to this proposed city post-office annex:

We have a bill that is before the Public Buildings and Grounds Committee authorizing the construction of that annex. It seems that we got up against what they call new legislation, so Mr. ELLIOTT introduced this bill for \$4,000,000 to extend the present city post office on the ground we already own. The building is in terrible condition. On account of the lack of sufficient space in which to function, the mail is not being handled anything like as promptly in the city of Washington as it could be handled if we had the space.

I shall not proceed farther with that statement. The statement comes from the Fourth Assistant Postmaster General and would indicate that this is a necessary and desirable expenditure. Otherwise, I am entirely in harmony with the amendment of the gentleman from New York.

Mr. STAFFORD. Mr. Speaker, I move to strike out the last word of the amendment. I think the amendment offered by the gentleman from New York will do violence to the intentment of the Post Office Department in the character of equipment that is necessary to be installed in this new addition. The gentleman notices that the language provides for the—

Extension of existing mechanical equipment, mail handling and conveying apparatus, and so forth.

I can readily conceive of many other kinds of equipment not included in those general terms, which would be essential in the necessary equipment for postal facilities.

Mr. LA GUARDIA. Will this correct it?—

Conveying and other necessary apparatus.

Mr. STAFFORD. Yes.

Mr. LA GUARDIA. "And so forth" is bad legislative language.

Mr. STAFFORD. I agree with the gentleman that the language is not proper.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. CRAMTON. Let me state further to those interested that Mr. Martin, the assistant to the Supervising Architect, stated in those same hearings that the square feet of floor space in the present building is 275,118, and that when extended as proposed there will be 530,157 square feet. It approximately doubles the floor space.

Mr. LA GUARDIA. Mr. Speaker, I ask unanimous consent to withdraw my amendment and to offer the following modified amendment, which I send to the desk.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the modified amendment.

The Clerk read as follows:

Amendment offered by Mr. LA GUARDIA: Page 1, line 8, after the word "handling," insert a comma and strike out the word "and," and after the word "conveying," insert the words "and other," and after the word "apparatus," strike out the words "and so forth."

The amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

THE TARIFF

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to speak for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Speaker, it has been reported, and I think correctly so, that the Senate will vote on the tariff bill at 2 o'clock Friday. In that event, the bill will be called up in the House on Saturday next.

RIO GRANDE COMPACT

Mr. HARDY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3386) giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe, N. Mex., on February 12, 1929, and consider the same at this time. This is an emergency matter.

The SPEAKER. The gentleman from Colorado calls up the bill, S. 3386, and asks unanimous consent to consider it at this time. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman from Colorado please make a statement in respect to what the bill does?

Mr. HARDY. Mr. Speaker, this bill simply provides for the approval of Congress to the Rio Grande River compact entered into between Colorado, New Mexico, and Texas, on February 12, 1929. Commissioners Delph E. Carpenter, for the State of Colorado, T. H. McGreagor, for the State of Texas, and Francis C. Wilson, for the State of New Mexico, together with William J. Donovan, appointed by the President to represent the United States, met at Santa Fe, N. Mex., considered the problems in hand, and came to conclusions embraced in this bill.

Since then the compact has been approved by the State legislatures of the several States at interest as follows: Colorado approved April 19, 1929; New Mexico approved March 9, 1929; and Texas approved May 22, 1929.

The bill has passed the Senate, has been approved and reported by the House Committee on Irrigation and Reclamation, and has the approval of the Secretary of the Interior, Mr. Wilbur, who, in a letter to the committee under date of May 26, 1930, says, in part:

I know of no reason why the proposed measure should not receive favorable consideration.

The bill gives approval to the compact. The compact recites agreement entered into by the States as to interstate water-right problems along the Rio Grande River. It will have the general effect of quieting fears and settling disputes and is to run for five years, though the time may be extended by uniform action of the State legislatures of the three States. In that time the States are given the opportunity of considering the more intricate problems before them and differences between them and coming to an amicable agreement.

This bill has the approval of the three States interested—Colorado, New Mexico, and Texas—and should have the approval of Congress.

Mr. HUDSPETH. If the gentleman will permit, the three States have agreed and this simply obviates lawsuits that would have been instituted by Colorado and Texas as to the matter of the division of the water. They met and agreed on a division of the water.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill may be inserted in the Record in full without reading.

The SPEAKER. Is there objection?

There was no objection.

The bill is as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to the compact signed by the commissioners for the States

of Colorado, New Mexico, and Texas at Santa Fe, N. Mex., on the 12th day of February, 1929, and thereafter approved by the Legislature of the State of Colorado by act approved April 19, 1929, by the Legislature of the State of New Mexico by act approved March 9, 1929, and by the Legislature of the State of Texas by act approved May 22, 1929, which compact reads as follows:

"RIO GRANDE COMPACT

"The State of Colorado, the State of New Mexico, and the State of Texas, desiring to remove all causes of present and future controversy among these States and between citizens of one of these States and citizens of another State with respect to the use of the waters of the Rio Grande above Fort Quitman, Tex., and being moved by considerations of interstate comity, have resolved to conclude a compact for the attainment of these purposes, and to that end, through their respective governors, have named as their respective commissioners Delph E. Carpenter for the State of Colorado, Francis C. Wilson for the State of New Mexico, and T. H. McGregor for the State of Texas, who, after negotiations participated in by William J. Donovan, appointed by the President as the representative of the United States of America, have agreed upon the following articles, to wit:

"ARTICLE I

"(a) The State of Colorado, the State of New Mexico, the State of Texas, and the United States of America are hereinafter designated 'Colorado,' 'New Mexico,' 'Texas,' and the 'United States,' respectively.

"(b) The term 'Rio Grande Basin' means all of the territory drained by the Rio Grande and its tributaries in Colorado, New Mexico, and Texas above Fort Quitman, Tex.

"(c) The term 'tributary' means any water course the waters of which naturally flow into the channel of the Rio Grande.

"(d) The 'closed basin' means that part of the San Luis Valley in Colorado where the streams and waters naturally flow and drain into the San Luis Lakes and adjacent territory, and the waters of which are not tributary to the Rio Grande.

"(e) 'Domestic' use of water has the significance which attaches to the word 'domestic' in that sense at common law. 'Municipal' use means the use of water by or through water works serving the public. 'Agricultural' use means the use of water for the irrigation of land.

"(f) The term 'power' as applied to the use of water means all uses of water, direct or indirect, for the generation of energy.

"(g) 'Spill' or waste of water at a reservoir means the flowage of water over the spillway, or the release of water through outlet structures other than for domestic, municipal, or agricultural uses, and losses incident thereto.

"The provisions hereof binding each signatory State shall include and bind its citizens, agents, and corporations, and all others engaged in, or interested in, the diversion, storage, or use of the waters of the Rio Grande in Colorado or New Mexico, or in Texas above Fort Quitman.

"ARTICLE II

"The States of Colorado, New Mexico, and Texas hereby declare:

"(a) That they recognize the paramount right and duty of the United States, in the interests of international peace and harmony, to determine and settle international controversies and claims by treaty, and that when those purposes are accomplished by that means the treaty becomes the supreme law of the Nation;

"(b) That since the benefits which flow from the wise exercise of that authority and the just performance of that duty accrue to all the people, it follows as a corollary that the Nation should defray the cost of the discharge of any obligation thus assumed;

"(c) That with respect to the Rio Grande, the United States, without obligation imposed by international law and 'being moved by considerations of international comity,' entered into a treaty dated May 21, 1906 (34 Stat. 2953), with the United States of Mexico which obligated the United States of America to deliver from the Rio Grande to the United States of Mexico 60,000 acre-feet of water annually and forever, whereby in order to fulfill that promise the United States of America, in effect, drew upon the States of Colorado, New Mexico, and Texas a draft worth to them many millions of dollars, and thereby there was cast upon them an obligation which should be borne by the Nation;

"(d) That for the economic development and conservation of the waters of the Rio Grande Basin and for the fullest realization of the purposes recited in the preamble to this compact it is of primary importance that the area in Colorado known as the Closed Basin be drained and the water thus recovered be added to the flow of the river, and that a reservoir be constructed in Colorado upon the river at or near the site generally described as the State Line Reservoir site. The installation of the drain will materially augment the flow of the river, and the construction of the reservoir will so regulate the flow as to remove forever the principal causes of the difficulties between the States signatory hereto; and

"(e) That in alleviation of the heavy burden so placed upon them it is the earnest conviction of these States that without cost to them the United States should construct the Closed Basin Drain and the State Line Reservoir described in paragraph (d).

"The signatory States agree that approval by Congress of this compact shall not be construed as constituting an acceptance or approval, directly, indirectly, or impliedly, of any statement or conclusion appearing in this article.

"ARTICLE III

"(a) Colorado, under the direction and administration of its State engineer, shall cause to be maintained and operated an automatic recording stream-gauging station at each of the following points, to wit:

"(1) On the Rio Grande near Del Norte at the station now maintained, known and designated herein as the Del Norte gauging station (the water records from this station to include the flow diverted into the canal of the Del Norte irrigation system);

"(2) On the Rio Conejos near Mogote, a station known and designated herein as the Mogote gauging station;

"(3) On the Rio Grande at or near the Colorado-New Mexico interstate line, a station known and designated herein as the interstate gauging station; and

"(4) Such other station or stations as may be necessary to comply with the provisions of this compact.

"(b) New Mexico, under the direction and administration of its State engineer, shall cause to be maintained and operated an automatic stream-gauging station at each of the following points, to wit:

"(1) On the Rio Grande at the station known as Buckman;

"(2) On the Rio Grande at San Marcial;

"(3) On the Rio Grande at the Elephant Butte Reservoir outlet; and

"(4) Such other station or stations as may be necessary to comply with the provisions of this compact.

"(c) Texas, under the direction and administration of duly constituted official, shall cause to be maintained and operated an automatic stream-gauging station at each of the following points, to wit:

"(1) On the Rio Grande at Courchesne;

"(2) On the Rio Grande at Tornillo; and

"(3) On the Rio Grande at Fort Quitman.

"(d) New Mexico and Texas shall establish and maintain such other gauging station or stations as may be necessary for ascertaining and recording the release, flow, distribution, waste, and other disposition of water at all points between the Elephant Butte Reservoir and the lower end of the Rio Grande project, both inclusive: *Provided, however*, That when the United States shall maintain and operate, through any of its agencies, an automatic gauging station at any of the points herein designated it shall not be necessary for the State within which said station is located to maintain a duplicate gauging station at such point whenever the records of such Government stations are available to the authorities of the several States.

"(e) The officials in charge of all of the gauging stations herein provided for shall exchange records and data obtained at such stations for monthly periods through the operation thereof, or at such other intervals as they may jointly determine, and said officials shall provide for check ratings and such other hydrographic work at the designated stations as may be necessary for the accuracy of the records obtained at such stations and to that end may establish rules and regulations from time to time.

"ARTICLE IV

"The State engineer of Colorado, the State engineer of New Mexico, and such officer of Texas as the governor thereof may designate shall constitute a committee which may employ such engineering and clerical aid as may be authorized by the respective State legislatures, and the jurisdiction of the committee shall extend only to the ascertainment of the flow of the river and to the prevention of waste of water, and to findings of fact reached only by unanimous agreement. It shall communicate its findings of fact to the officers of the respective States charged with the performance of duties under this compact. Its findings of fact shall not be conclusive in any court or other tribunal which may be called upon to interpret or enforce this compact. Annual reports compiled for each calendar year shall be made by the committee and transmitted to the governors of the signatory States on or before February 1 following the year covered by such report.

"ARTICLE V

"It is agreed that to and until the construction of the Closed Basin Drain and the State Line Reservoir herein described, but not subsequent to June 1, 1935, or such other date as the signatory States may hereafter fix by acts of their respective State legislatures, Colorado will not cause or suffer the water supply at the interstate gauging station to be impaired by new or increased diversions or storage within the limits of Colorado unless and until such depletion is offset by increase of drainage return.

"ARTICLE VI

"To the end that the maximum use of the waters of the Rio Grande may be made it is agreed that at such times as the State engineer of New Mexico, under the supervision and control of the committee, shall find that spill at Elephant Butte Dam is anticipated he shall forthwith give notice to Colorado and New Mexico of the estimated amount of such spill, and of the time at which water may be impounded or diverted

above San Marcial, and thereupon Colorado and New Mexico may use in equal portions the amount of such estimated spill so found by the State engineer of New Mexico; and on notice from the said State engineer of New Mexico that the period of said spill, or estimated spill, is terminated, Colorado and New Mexico shall desist from such increased use.

"ARTICLE VII

"(a) On or before the completion of the Closed Basin Drain and the State Line Reservoir, and in any event not later than June 1, 1935, a commission of three members shall be constituted, to which the governor of each of the signatory States shall appoint a commissioner, for the purpose of concluding a compact among the signatory States and providing for the equitable apportionment of the use of the waters of the Rio Grande among said States. The governors of said States shall request the President of the United States to name a representative to sit with said commission.

"(b) The commission so named shall equitably apportion the waters of the Rio Grande as of conditions obtaining on the river and within the Rio Grande Basin at the time of the signing of this compact, and no advantage or right shall accrue or be asserted by reason of construction of works, reclamation of land, or other change in conditions or in use of water within the Rio Grande Basin or the Closed Basin during the time intervening between the signing of this compact and the concluding of such subsequent compact to the end that the rights and equities of each State may be preserved unimpaired: *Provided, however*, That Colorado shall not be denied the right to divert, store, and/or use water in additional amounts equivalent to the flow into the river from the drain from the Closed Basin.

"(c) Any compact concluded by said commission shall be of no force or effect until ratified by the legislature of each of the signatory States and approved by the Congress of the United States.

"ARTICLE VIII

"(a) Subject to the provisions of this article Colorado consents to the construction and use of a reservoir by the United States and/or New Mexico, and/or Texas, as the case may be, by the erection of a dam across the channel of the Rio Grande at a suitable point in the canyon below the lower State bridge, and grants to the United States and/or to said States, or to either thereof, the right to acquire by purchase, prescription, or to exercise of eminent domain such rights of way, easements, and/or lands as may be necessary or convenient for the construction, maintenance, and operation of said reservoir and the storage and release of waters.

"(b) Said reservoir shall be so constructed and operated that the storage and release of waters therefrom and the flowage of water over the spillway shall not impede or interfere with the operation, maintenance, and uninterrupted use of drainage works in the San Luis Valley in Colorado or with the flow and discharge of waters therefrom.

"(c) The construction and/or operation of said reservoir and the storage and regulation of flow of waters thereby for beneficial uses or otherwise shall not become the basis or hereafter give rise to any claim of appropriation of waters or of any prior, preferred, or superior right to the use of any such waters. The purpose of said reservoir shall be to store and regulate the flow of the river.

"(d) The United States, or the signatory States, as the case may be, shall control the storage and release of water from said reservoir and the management and operation thereof, subject to a compact between the signatory States.

"(e) Colorado reserves jurisdiction and control over said reservoir for game, fish, and all other purposes not herein relinquished.

"(f) Colorado waives rights of taxation of said reservoir and appurtenant structures and all lands by it occupied.

"ARTICLE IX

"Nothing in this compact shall be construed as affecting the obligations of the United States of America to the United States of Mexico, or to the Indian tribes, or as impairing the rights of the Indian tribes.

"ARTICLE X

"It is declared by the States signatory hereto to be the policy of all parties hereto to avoid waste of waters, and to that end the officials charged with the performance of duties hereunder shall use their utmost efforts to prevent wastage of waters.

"ARTICLE XI

"Subject to the provisions of this compact water of the Rio Grande or any of its tributaries may be impounded and used for the generation of power, but such impounding and use shall always be subservient to the use and consumption of such waters for domestic, municipal, and agricultural purposes. Water shall not be stored, detained, nor discharged so as to prevent or impair use for such dominant purposes.

"ARTICLE XII

"New Mexico agrees with Texas, with the understanding that prior vested rights above and below Elephant Butte Reservoir shall never be impaired hereby, that she will not cause or suffer the water supply of the Elephant Butte Reservoir to be impaired by new or increased diver-

sion or storage within the limits of New Mexico unless and until such depletion is offset by increase of drainage return.

"ARTICLE XIII

"The physical and other conditions characteristic of the Rio Grande and peculiar to the territory drained and served thereby, and to the development thereof, have actuated this compact, and none of the signatory States admits that any provision herein contained establishes any general principle or precedent applicable to other interstate streams.

"ARTICLE XIV

"This compact may be terminated or extended at any time by the unanimous legislative action of all of the signatory States, and in that event all rights established under it shall remain and continue unimpaired.

"ARTICLE XV

"Nothing herein contained shall prevent the adjustment or settlement of any claim or controversy between these States by direct legislative action of the interested States, nor shall anything herein contained be construed to limit the right of any State to invoke the jurisdiction of any court of competent jurisdiction for the protection of any right secured to such State by the provisions of this compact, or to enforce any provision thereof.

"ARTICLE XVI

"Nothing in this compact shall be considered or construed as recognizing, establishing, or fixing any status of the river or the accuracy of any data or records or the rights or equities of any of the signatories or as a recognition, acceptance, or acknowledgment of any plan or principle or of any claim or assertion made or advanced by either of the signatories or hereafter construed as in any manner establishing any principle or precedent as regards future equitable apportionment of the waters of the Rio Grande. The signatories agree that the plan herein adopted for administration of the waters of the Rio Grande is merely a temporary expedient to be applied during the period of time in this compact specified, is a compromise temporary in nature and shall have no other force or interpretation, and that the plan adopted as a basis therefor is not to be construed as in any manner establishing, acknowledging, or defining any status, condition, or principle at this or any other time.

"ARTICLE XVII

"The signatories consent and agree to the extension of time for construction of reservoirs on sites covered by approved applications during the time of this compact and for a reasonable time thereafter.

"ARTICLE XVIII

"This compact shall become operative when approved by the legislature of each of the signatory States and by the Congress of the United States. Notice of approval shall be given by the governor of each State to the governors of the other States and to the President of the United States, and the President of the United States is requested to give notice to the governors of each of the signatory States of its approval by the Congress of the United States.

"In witness whereof, the commissioners have signed this compact in quadruplicate original, one of which shall be deposited in the archives of the Department of State of the United States of America and shall be deemed the authoritative original, and of which a duly certified copy shall be forwarded to the governor of each of the signatory States.

"Done at the city of Santa Fe, in the State of New Mexico, on the 12th day of February, A. D. 1929.

"DELPH E. CARPENTER.

"FRANCIS C. WILSON.

"T. H. MCGREGOR.

"Approved.

"WILLIAM J. DONOVAN."

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

FORTY-FOUR-HOUR WEEK FOR CERTAIN GOVERNMENT EMPLOYEES

The next business on the Consent Calendar was the bill (S. 471) providing for a 44-hour week for certain Government employees.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, in view of the statement made this afternoon by the majority floor leader [Mr. TILSON] to the effect that a survey is to be made as to the effect of such legislation on the public service, I shall feel obliged to object. But I will first ask unanimous consent that the bill go over without prejudice.

Mr. DALLINGER. Mr. Speaker, if the gentleman will withhold, I wish to make a statement in regard to the bill.

Mr. DYER. Will the gentleman state what the committee thinks it will cost?

Mr. CRAMTON. I do not believe we can expedite the transaction of business on the Consent Calendar by an extended discussion. I do know, by contact with the public service, that there are Federal agencies in the field where the conditions are out of the ordinary, and where the public service is not protected by this bill; agencies taking in the national forests, and the national parks, and possibly the Lighthouse Service, and Federal agencies at other remote places, and you propose to give employees a lay off on Saturday afternoon. I do not know who will take their places. I think those suggestions should be considered.

Mr. DALLINGER. The employees in the field service of the Department of the Interior are excepted, and we excepted the Postal Service because the Committee on Post Offices and Post Roads has always exercised jurisdiction over the pay and kindred matters pertaining to that service.

Mr. CRAMTON. The gentleman does not know how this will affect the lighthouse branch and other agencies?

Mr. LEHLBACH. We excepted those because we did not wish to affect the situation generally.

Mr. DALLINGER. The Civil Service Committee has always taken jurisdiction concerning the postal employees. This is a Senate bill, and this bill as it passed the Senate applied to all Government employees.

Mr. HOCH. Mr. Speaker, I have a wire here from one of the field employees of the Interior Department, which reads as follows:

PAWHUSKA, OKLA., May 27, 1930.

Congressman HOMER HOCH,
Washington, D. C.:

Pawhuska local union No. 48 asks immediate consideration Senate half holiday bill 471, passed April 1 and approved by House committee, which excludes field employees Interior Department and threatens to take away from employees Reclamation and Indian Service Saturday half holiday they have had for some years by Executive order during summer months. There are no doubt employees in all departments of Government whose duties require they work Saturday afternoon some periods, and Interior Department is believed to be really no exception. We are anxious to secure modification to overcome objections of bureau heads Interior Department by giving Secretary of the Interior authority administer provision of bill so employees now having this privilege will be continued. We can see no reason why field employees of Interior Department should be discriminated against.

W. H. RUDEAUFF.

You will notice that he feels that it is necessary to protect them by an amendment. In view of the situation, I reserve the right to object.

Mr. DALLINGER. The gentleman from Idaho [Mr. SMITH], who was largely instrumental in having that exception of the field service of the Department of the Interior incorporated in the bill, has prepared an amendment which will meet the objections of the gentleman from Kansas.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. LA GUARDIA. The gentleman from Michigan has had his say, and he does it very well. But, slipping in edgewise, I simply want to say that the United States Government itself, through its Department of Labor, has recommended the Saturday half day off. We have fixed the time of service in the railroad bill. Every big industry in the country has had its half day off, and in view of the statements made this morning I do not see the necessity of a survey on this bill.

Mr. CRAMTON. I think, Mr. Speaker, in hard times it is inopportune to talk about giving those in the field the same conditions that we have in the departments here, where they work seven hours a day and have Saturday afternoon off, and take from an hour to three hours for lunch, and all that sort of thing. I would like to see the employees of the District of Columbia put on the same basis as those in the field and let the Government get a due return for their salaries.

Mr. DALLINGER. Mr. Speaker, I wish to call the attention of the gentleman from Michigan to the fact—he being a Member of the Committee on Appropriations—that the Comptroller General, who is about as hard-boiled, so far as expenditures go, as anybody, and also the Civil Service Commission have pointed out that there is no uniformity in the Government service with respect to the hours of service on Saturday. In fact, in some cities and towns the heads of Government offices, whether customhouses or post offices give their employees a half holiday on Saturday the same as other employers, whereas in other cities and towns the employees do not get the Saturday half holiday. Both the Civil Service Commission and the Comptroller General have recommended that Government employees, wherever they are, shall be given a half-day holiday on Saturday throughout the year.

I ask unanimous consent to revise and extend my remarks by putting in the RECORD my report on this bill, which contains copies of letters from the Civil Service Commission and from the Comptroller General.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

[House Report No. 1498, Seventy-first Congress, second session]

SATURDAY HALF HOLIDAYS FOR CERTAIN GOVERNMENT EMPLOYEES

Mr. DALLINGER, from the Committee on the Civil Service, submitted the following report (to accompany S. 471):

The Committee on the Civil Service, to whom was referred the bill S. 471, having considered the same, report favorably thereon with a recommendation that the bill as amended be passed. The amendments are as follows:

Amend the title so as to read: "A bill providing for Saturday half holidays for certain Government employees."

Strike out all of line 7 after the word "all," line 8, and line 9 to and including the word "Government" in line 10, and insert in lieu thereof the following: "civil employees of the Federal Government and the District of Columbia, exclusive of employees of the Postal Service, employees of the Panama Canal on the Isthmus, and employees of the Interior Department in the field," so that the bill will read as follows:

"Be it enacted, etc., That on and after the effective date of this act four hours, exclusive of time for luncheon, shall constitute a day's work on Saturdays throughout the year, with pay or earnings for the day the same as on other days when full time is worked, for all civil employees of the Federal Government and the District of Columbia, exclusive of employees of the Postal Service, employees of the Panama Canal on the Isthmus, and employees of the Interior Department in the field, whether on the hourly, per diem, per annum, piece work, or other basis: *Provided*, That in all cases where for special public reasons, to be determined by the head of the department or establishment having supervision or control of such employees, the services of such employees can not be spared, such employees shall be entitled to an equal shortening of the workday on some other day: *Provided further*, That the provisions of this act shall not deprive employees of any leave or holidays with pay to which they may now be entitled under existing laws."

This bill, if enacted, will establish a 4-hour workday on Saturday throughout the year, without loss of pay, for all civil employees of the Federal Government and the District of Columbia, except those employed in the Postal Service, those in the field service of the Department of the Interior, and employees of the Panama Canal on the Isthmus, practically all of whom are working under the provisions of the 8-hour law.

Employees of the Postal Service have been excluded from the provisions of the bill for the reason that the Committee on Post Offices and Post Roads has already reported a similar bill applying to all postal employees, which is on the Union Calendar. The field service of the Department of the Interior was excluded by the committee on account of the objections made by the Chiefs of Bureaus of Reclamation, Forestry, and National Parks, and the Indian Bureau, the field services of the three latter bureaus being very largely composed of temporary employees during the summer vacation period. The Panama Canal employees on the Isthmus were excluded because the committee felt that this service has other compensating advantages, and that the conditions of employment can be regulated by the Secretary of War under authority of the President without congressional enactment.

Employees of the Government Printing Office are included in the provisions of the bill, although legislation affecting this branch of the Government service does not ordinarily come before the Committee on the Civil Service. This action was taken in view of a statement made under date of February 11, 1930, by the Public Printer to S. M. Lee, clerk of the Committee on Printing of the United States Senate, which read in part as follows:

"I respectfully recommend that your committee propose an amendment to the Jones bill (S. 471), which is now on the Senate Calendar (No. 70), striking out the words 'and the Government Printing Office' from line 9, page 1, of the bill. The elimination of those words would make the Jones bill, providing for a 44-hour week, applicable to the Government Printing Office as well as to other Government employees."

The United States Civil Service Commission, to which a number of House bills granting Saturday half holidays to different groups of Government employees were referred for comment, stated, through its secretary, Mr. John T. Doyle, in a letter to Hon. FREDERICK R. LEHLBACH, chairman of the House Committee on the Civil Service, that—

"The commission desires to state with reference to these bills in general that in the larger cities especially, in conformity with business usage in their localities, many, if not all, of the Federal establishments, in common with private business, observe the half-day holiday on Saturday afternoon. It is important to note that the District of Columbia Code provides that every Saturday after 12 o'clock noon shall be a holiday in the District for all purposes. Under an Executive order of May 9, 1927, from the first Saturday of June to the last Saturday of September, both inclusive, of each year, four hours, exclusive of time

for luncheon, constitutes a day's work on Saturdays for all clerks and other employees of the Federal Government. The order permits exceptions to be made by the head of the department or establishment where the practice authorized is inconsistent with the provisions of existing law.

"It will be seen that there is thus an inconsistency of practice between the field and the departmental services, since the Government for only four months of the year follows the customs of banks and business houses in closing on Saturday afternoons.

"By statute the departments properly have the right to require employees to serve additional hours or on holidays when necessary.

"The legislation proposed is in general in keeping with the trend in outside business and the commission favors conformity with the code in this matter. Reference is made to the comment by the Reclassification Commission on March 12, 1920, in House Document No. 686, Sixty-sixth Congress, second session, entitled 'Report of the Congressional Joint Commission on Reclassification of Salaries,' on page 92, where it is stated that as contrasted with the Government's policy regarding leave of absence 'many progressive employers in the business and industrial world, especially in the larger cities, grant their office employees two weeks' vacation and every Saturday afternoon with pay.'

"It is believed legislation of the kind proposed should affect all classes of Federal employees alike, and no particular class or group should be favored unless for administrative reasons."

The Comptroller General also favors the proposed legislation. In a letter to Chairman LEHLBACH, of the Civil Service Committee, under date of May 16, 1930, he writes:

"In view of the lack of uniformity and because of the long-existing practice of the executives of requiring a full day's work on Saturdays except during the summer months, it would no doubt avoid much confusion and complaint if the matter should be covered by specific legislation * * *. As the administrative head of the General Accounting Office, I would favor the granting of Saturday half holidays to all Federal employees where services may be spared, which would be in harmony with the trend of employment policies in the commercial world."

The language of the bill in question follows in a general way the Executive order issued by the President on May 9, 1927, which grants a 4-hour work day on Saturday for four months of the year, and which permits full pay for all those employees whose services can be spared. The Executive order above mentioned, however, does not provide compensating time off on any other day of the week in the few exceptional cases where the services of employees can not be spared on Saturday. These employees, under the terms of the proposed bill, would be entitled to a shortening of the work day on some other day of the week, which, of course, would be determined by the head of the department or bureau in which they work.

By enacting this legislation, therefore, Congress will not be establishing a new practice but will merely be keeping pace with developments that have been going on in private industry for some time.

The cost to the Government of the proposed legislation can not very well be estimated, since it does not involve a direct cost and may or may not reduce the quantity of work performed. In private business the experience has been that it has not materially reduced the output. Moreover, there is no evidence that the granting of Saturday half holidays to the Government employees of the District of Columbia four months of the year has resulted in any increased cost to the Government.

Mr. DYER. Will the gentleman yield?

Mr. DALLINGER. I yield.

Mr. DYER. What report does the gentleman intend to put in?

Mr. DALLINGER. It is the report on this bill.

Mr. DYER. From whom?

Mr. DALLINGER. From the Civil Service Committee, and it contains copies of letters from the Civil Service Commission and from the Comptroller General.

Mr. DYER. And the report is favorable, is it not?

Mr. DALLINGER. Certainly.

Mr. DYER. And the bill ought to be passed.

Mr. DALLINGER. That is what I think, and I think the Federal Government ought to set an example in these matters instead of lagging behind private industry. [Applause.]

Mr. CRAMTON. Will the gentleman yield?

Mr. BEEDY. Will the gentleman yield?

Mr. CRAMTON. It is time the gentleman yielded to me if he wants the bill discussed.

Mr. LA GUARDIA. I think I have the floor, because I reserved the right to object, and I yield to the gentleman from Maine [Mr. BEEDY].

Mr. CRAMTON. I want to ask the gentleman from Massachusetts—

Mr. BEEDY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. BEEDY. The gentleman from New York has the floor and yielded to me.

Mr. CRAMTON. Mr. Speaker, I object.

BRIDGES WITHIN THE STATE OF KENTUCKY

Mr. DENISON. Mr. Speaker, out of order, I ask unanimous consent for the immediate consideration of the bill (S. 4269) authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary-line streams of Kentucky.

This is No. 663 on the Consent Calendar, and is an emergency matter, Mr. Speaker. It is a bill authorizing the State Highway Commission of Kentucky to acquire, construct, and maintain bridges, and I am asking this at the request of the officials of the State of Kentucky and several Members of the House from that State.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. DENISON. Mr. Speaker, I may state that the State of Kentucky is undertaking a bridge-building program which will involve the expenditure of some \$20,000,000. They want to begin operations immediately, and they are only awaiting the enactment of this legislation. It is very important that the bill be passed at the earliest possible date, so I am asking to take this bill up now.

Mr. JENKINS. Reserving the right to object, what effect will this have on interstate rivers? Does this bill in its provisions cover the Ohio River?

Mr. DENISON. Yes.

Mr. THATCHER. But it does not group the interstate bridges with the intrastate bridges.

Mr. JENKINS. Then how could it affect the Ohio River?

Mr. LA GUARDIA. I will say that I have this bill marked "O. K."

Mr. JENKINS. What effect will this have on any concern who wanted to build a bridge across the Ohio River from Kentucky into Ohio?

Mr. DENISON. It will not have any effect.

Mr. THATCHER. But the tolls charged on that bridge would be used to pay for its construction alone, and would not be applied to the building of any other bridge. The bill only permits the grouping of intrastate bridges for the purpose of giving credit on the tolls which the State highway commission would collect until the bridges are paid for within the State, and then the bridges become free.

Mr. JENKINS. If it only applies to intrastate bridges, then it does not deal with interstate bridges? A bridge across the Ohio River would be interstate?

Mr. DENISON. And the bill authorizes the Highway Commission of Kentucky to build several interstate bridges over the Ohio River.

Mr. JENKINS. I understood the gentleman from Kentucky to say it applies to only intrastate bridges.

Mr. THATCHER. That is, as far as the grouping of tolls is concerned.

Mr. DYER. What is the emergency?

Mr. THATCHER. The bonds have to be validated. The Kentucky Court of Appeals will adjourn until fall within a few days. The bonds will have to be validated before the State highway commission can make any arrangements for the procurement of loans.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. DENISON. I yield.

Mr. SCHAFER of Wisconsin. Does this touch any bridges near the city of Evansville, Ind.?

Mr. DENISON. It does not.

Mr. SCHAFER of Wisconsin. I do not believe we should take up this bill out of order until all Members of Congress who may have an interest have an opportunity to be here. Many Members have no doubt left the Chamber, knowing that the bill could not be reached to-day in its regular order, and I shall therefore have to object to taking it up out of regular order until all Members of Congress who have an interest in the bill have an opportunity to be heard. I object to the request.

Mr. DYER. Mr. Speaker, regular order.

Mr. DENISON. Will the gentleman from Wisconsin [Mr. SCHAFER] withhold his objection?

Mr. SCHAFER of Wisconsin. I reserve the objection.

Mr. DENISON. I am asking this at the urgent request of the Highway Commission of Kentucky and the assistant attorney general of Kentucky, who talked to me over the long-distance telephone, and asked me to have the bill passed as soon as possible. Some of the Members of Congress from that State have asked that it be done. It is very important. It will enable them to begin at once on a program of bridge building which will involve the expenditure of something over \$20,000,000 and will aid conditions of unemployment in that State, and

will, I think, very much improve the highway system of Kentucky.

Mr. LAGUARDIA. And it is just the kind of a bill that some of us have been clamoring for all the time.

Mr. SCHAFFER of Wisconsin. Has the highway commission contacted every Member of Congress who may be interested in these bridges so that they would be able to be here and voice their objection if they desired to object to the bill?

Mr. LAGUARDIA. They are presumed to be here.

Mr. SCHAFFER of Wisconsin. I do not know whether they are or not. Members of Congress have to attend committee meetings, they have other governmental duties to perform, and they can not be on the floor of the House every minute of the day. I do not think a bill down at the foot of the Consent Calendar should be taken up this late in the day out of order, and I shall object until I am assured that other Members of Congress from States which may have an interest, have an opportunity to be here and voice their objection if they have any.

The regular order was demanded.

Mr. SCHAFFER of Wisconsin. I object.

BRIDGE ACROSS SULPHUR RIVER NEAR FORT LYNN, ARK.

Mr. DENISON. Mr. Speaker, I ask unanimous consent on behalf of the gentleman from Texas [Mr. SUMNERS] for the immediate consideration of the bill (H. R. 12663) granting the consent of Congress to the Texas & Pacific Railway Co. to reconstruct, maintain, and operate a railroad bridge across Sulphur River in the State of Arkansas near Fort Lynn. This involves a serious emergency.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DENISON. Mr. Speaker, this authorizes the Texas & Pacific Railway Co. to rebuild an existing bridge, which has become in such condition that it is unsafe to use for railroad purposes, and it is important that they be authorized to enter upon its reconstruction immediately.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Texas & Pacific Railway Co., its successors and assigns, to reconstruct, maintain, and operate a railroad bridge and approaches thereto across the Sulphur River, near Fort Lynn, in the State of Arkansas, upon the location of the present bridge and in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the said Texas & Pacific Railway Co., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 6, after the word "river," insert the words "at a point suitable to the interests of navigation, at or."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FEDERAL FARM BOARD

Mr. BRAND of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Federal Farm Board and to include therein two letters, one written to Mr. Legge, the chairman, and one in reply thereto.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD on the Federal Farm Board. Is there objection?

There was no objection.

Mr. BRAND of Georgia. Mr. Speaker, under the leave to extend my remarks in the RECORD on the Federal Farm Board I include the following letters, one from me to Hon. Alexander

Legge, chairman of the board, of date March 19, 1930; his reply thereto, of date March 31, 1930; my reply to his letter of date June 6, 1930.

I am intensely gratified to know that the suggestion made to Mr. Legge in my letter of March 19, 1930, has been adopted by the board, at least so far as the present year is concerned.

MARCH 19, 1930.

Hon. ALEXANDER LEGGE,

Chairman Federal Farm Board, Washington, D. C.

MY DEAR MR. LEGGE: I notice from press reports that the Federal Farm Board has been purchasing wheat and storing the same in elevators or warehouses, using, of course, if this is true, the money appropriated by Congress for purposes set forth in the act creating the Federal Farm Board.

I will appreciate it if you will advise me how much wheat has been purchased, at what price, and how much of this Federal fund was used for making the purchases. Also, when you answer, advise me when and where the purchases were made and where the wheat is stored, and what effect it had upon the price of wheat.

If the board has thus gone into the market and made purchases of wheat as above indicated, I will thank you to give me your reasons for doing so.

When you reply, I will appreciate it if you will let me know, assuming that you have been purchasing wheat for the purpose of stabilizing or increasing the price of wheat, why it is that you have heretofore refused to enter the market and purchase cotton for the purpose of stimulating the price of cotton. If you have gone into the market and purchased wheat upon the idea that the price of wheat was too low and with a view to increase the price of wheat, which I take it was and is in the interest of the wheat farmer, why don't you adopt the same procedure in regard to the cotton farmer?

I will appreciate it if you will give me a prompt reply to this communication.

Very truly yours,

C. H. BRAND.

FEDERAL FARM BOARD,
Washington, March 21, 1930.

Hon. C. H. BRAND,

House of Representatives.

DEAR MR. BRAND: Replying to your letter of March 19, I will say that it is true the Stabilization Corporation, set up under the provisions of the agricultural marketing act and borrowing money from this board, has purchased a substantial quantity of wheat in an effort to steady the price of that commodity, or, more correctly speaking, I might say "that and other agricultural commodities," in a time when the market seemed to be in a state of panic.

The circumstances leading up to this are rather peculiar. Wheat production in 1929 is admitted by all interested parties to have been over 500,000,000 bushels less than the preceding year, yet recently the price was 22 cents below that of the corresponding date a year ago—the lowest price, with two exceptions, which has occurred during the past 15 years, once following the panic of 1921 or 1922 and again about the end of May last year.

Perhaps if wheat alone had been involved it might not have justified the action taken, but you are doubtless familiar with the fact that prices of many commodities seem to go up and down with the market on wheat. Regardless of what the reason for this may be, this fact is pretty generally conceded by those familiar with the market trends.

We are not trying to inflate prices and I am hopeful that the panic in this commodity may be passing as so far this week the prices held steady without it being necessary for the Stabilization Corporation to do any buying.

The basic difference between wheat and cotton lies in the fact that at the time of the recent heavy slump in the prices of both there was less than 5 per cent of the 1929 crop of cotton in the hands of the farmers, while the estimate showed approximately 35 per cent of the wheat crop. You will recall that last fall there was a long time that wheat could not be shipped at the terminals because of congestion and railroad embargoes brought about by this congestion.

We have been able to reach the cotton growers pretty generally, however, through loans to their cooperatives and the cotton price has also taken a turn for the better in the last 10 days.

The Farm Board advances on wheat, at the present time, are approximately \$30,000,000, part in loans and part in purchased wheat, in addition to which there are some contracts for delivery in May. If you are interested in more detail I will try to run over and see you some day, as I would prefer to explain the details of the present positions to you in person rather than by letter.

Sincerely yours,

ALEX. LEGGE,
Chairman Federal Farm Board.

JUNE 6, 1930.

Hon. ALEXANDER LEGGE,

Chairman Federal Farm Board, Washington, D. C.

MY DEAR MR. LEGGE: I regret that I have not heretofore acknowledged receipt of your letter in reply to mine in respect of the policy of the Federal Farm Board of purchasing cotton when there exists a surplus crop thereof. While I haven't the slightest disposition to quarrel with you or to be offensive to any extent, I feel constrained to question the accuracy of your position as set forth in your letter.

In my letter I asked the question as the board had theretofore been purchasing wheat, supposedly to stabilize and increase the price thereof to help the wheat farmer, why didn't the board go into the market and make purchases of cotton for the purpose of stabilizing its price in order to help the cotton farmer. I based this question, first, upon the fact that the board had been buying wheat because the price of it was low, manifestly for the purpose of increasing the price; second, because the price of cotton was low and below the cost of production; and third, because the statement credited to you by the press that it was not the intention of the board to purchase cotton.

In your letter you gave as a reason why the board did not intend to purchase cotton was due to the fact that there was less than 5 per cent of the 1929 crop of cotton in the hands of the farmers. According to my information this statement was inaccurate, because at the time it was made there was not only a larger amount of cotton than 5 per cent in the hands of the farmers, but there was a large amount of cotton belonging to them in the custody of the cooperative marketing associations, and also an additional amount of cotton belonging to the farmers in warehouses to which the banks of the country held title by reason of the fact that they had loaned farmers money with warehouse receipts as security. It was also generally understood that there was a surplus of the cotton crop of 1928.

Whether I am right or wrong relative to the amount of cotton in the hands of farmers of the crop of 1929 and the amount of cotton left over from the year 1928, it is true, according to information which I have obtained from the Census Bureau and the Agricultural Department, that there was on hand on March 31, 1930, 6,922,000 bales of cotton, the same being located, so far as it can be ascertained by these bureaus, as follows: 1,763,000 bales in mills and warehouses; 4,189,000 bales in public storage and compresses; and 970,000 bales on shipboard, on farms, and in transit.

I conclude therefore that the board, if it saw proper to do so, could have had the stabilizing corporation, provided for in the agricultural marketing act, to go into the market and purchase the surplus cotton of the crops of 1928 and 1929, which would have had the effect to increase the price thereof.

It appears to me that there exists an inconsistency in your statement that you did not buy cotton because there was less than 5 per cent of the 1929 crop in the hands of the farmers and the statement which you had previously made that it was not the purpose of the board to go into the market and buy cotton. This last statement was not based upon the reason that there was less than 5 per cent of the 1929 crop. Upon the contrary, there was no reason given whatever why the board would not under any circumstances purchase cotton.

This statement had a depressing effect upon the price of cotton, the same falling to a low figure, much less than the cost of production, and it has substantially maintained this low level ever since the statement was published.

The question at issue is this: Will the Federal Farm Board put into operation the stabilizing corporation created in the agricultural marketing act by going into the market and purchasing cotton if the board finds it to be a fact that there is a surplus crop of cotton in any given year?

This question is not only a material one for the future but I regard it as a material one now.

I contend when and if there is a surplus crop of cotton and it is selling in the markets of the world at a price lower than the cost of production, that it is the solemn duty of the board, as was done in the case of wheat, to go into the market and purchase this surplus crop of cotton and hold it until its price is stabilized and reaches the point which upon sale thereof will not only be sufficient to reimburse the farmers for the cost of production but give them a reasonable profit for producing the same. Nothing less than the adoption of such a policy will give substantial and satisfactory relief to the cotton producers of this country.

With regards, cordially yours,

C. H. BRAND.

NATURALIZATION OF CERTAIN ALIENS

The next business on the Consent Calendar was the bill (H. R. 5627) relating to the naturalization of certain aliens.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, I object.

Mr. BOYLAN. I hope the gentleman will not object. I think if he will read the bill he will not object.

Mr. PATTERSON. If the gentleman wants to take care of these fellows who wanted to get out of the Army—

Mr. LA GUARDIA. After the armistice; after it was all over. I resigned after the armistice, when everybody was breaking their necks to get out.

Mr. PATTERSON. These fellows were withdrawing their citizenship papers in order to get out of the Army.

Mr. LA GUARDIA. After the armistice.

Mrs. LANGLEY. Will the gentleman withhold his objection?

Mr. PATTERSON. I will.

Mrs. LANGLEY. This is a very meritorious measure. It passed the House at the last session without any controversy and has been reported by the Immigration Committee twice. It was drawn for the relief of one young man, a doctor of Swedish extraction. He was a friendly alien and could have avoided the draft. He was drafted but was turned down by the board because of physical disability. Afterwards he went to the War Department and waived this disability and was accepted. He served during the war, was injured, and in accepting his discharge inadvertently signed a paper which did not in fact apply to his case. The act of 1918 was passed for the purpose of covering those who attempted to evade military service, but this man did not try to evade military service, although he could have done so on account of physical defects. It is the only case on record.

Mr. PATTERSON. If the gentleman from Kentucky will answer one question for me, I can tell what I am going to do. This man withdrew his naturalization papers, or his first citizenship papers, for the purpose of getting out of the Army. I am going to object and I do object.

Mrs. LANGLEY. No; he served all during the war and this was three weeks after the armistice.

Mr. PATTERSON. I know it was after the armistice.

Mr. JENKINS. If the gentleman will permit, is not this the fact, that this man did not withdraw any of his papers until after he had served in the Army, and he withdrew his papers upon the advice of some Army authorities, who told him he could get out of the Army quicker if he withdrew his papers than if he waited for his regular discharge?

Mr. PATTERSON. That was the purpose of his withdrawal, was it not?

Mr. JENKINS. No; the war was over and he was waiting to be discharged. He had served during the war.

Mr. PATTERSON. Why did he not wait for his discharge in the regular way? I object, or ask that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

COAL AND ASPHALT DEPOSITS IN THE CHOCTAW AND CHICKASAW NATIONS, OKLAHOMA

The next business on the Consent Calendar was the bill (S. 4140) providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. HASTINGS. Will not the gentleman reserve his objection? I think I can explain the bill to his satisfaction in a minute.

Mr. BLANTON. Certainly.

Mr. HASTINGS. Mr. Speaker and gentlemen of the House, this is a bill which provides for the reappraisal and sale of the coal and asphalt deposits belonging to the Choctaws and Chickasaws in Oklahoma.

Mr. STAFFORD. Will the gentleman yield?

Mr. HASTINGS. I will ask the gentleman to wait just a moment.

Mr. STAFFORD. I think the gentleman is making a statement that is not borne out by the bill.

Mr. HASTINGS. The gentleman is mistaken. The Choctaws and Chickasaws made an agreement in 1897 for the allotment of their lands, withholding the coal and asphalt deposits. Subsequently, the surface of the lands was sold. Now, provision has been made by several acts of Congress for the disposition of these coal deposits.

They were appraised under authority of law under the direction of the Secretary of the Interior some 25 or 30 years ago. The coal and asphalt deposits have been offered for sale after being advertised thoroughly time after time, some tracts as many as three and perhaps some as many as five times.

All that this bill does is to authorize a reappraisal and a reoffering for sale of these deposits, and amends the existing law in some minor particulars, and this is in the interest of the Indians themselves. Leases on these lands are expiring and the revenue deriving from royalties on coal mined and sold is small.

Mr. BLANTON. Mr. Speaker, I withdraw my objection.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman yield with respect to his statement that this provides for a reappraisal? That is the difficulty I have with the bill. At this late hour, when we are about to adjourn, I do not wish to take up too much time, but this is a bill involving \$9,000,000, and I direct the gentleman's attention to the phraseology in line 7, page 2, which says—

To the highest bidder at not less than the appraised value heretofore fixed by the Secretary of the Interior under the provisions of the act of Congress approved February 22, 1921.

That was made many years ago.

Mr. HASTINGS. But there is a further provision in the bill providing for reappraisal. I call attention to the last paragraph of section 3.

Mr. STAFFORD. Then, again, in line 5, page 3, we find the language:

That where any tract of said coal and asphalt deposits has been heretofore or may be offered hereafter for sale.

I am unwilling that these lands that have been heretofore offered for sale many years ago shall be sold to the persons who made those bids at the appraised value of many years back. I am perfectly willing to have the lands reappraised.

Mr. HASTINGS. That is what the bill provides.

Mr. STAFFORD. I read the bill very carefully. Mr. Speaker, the hour is very late. Would it be agreeable to have the bill passed over and have it taken up for consideration first when the calendar is again considered?

Mr. HASTINGS. We may not reach the bill again on the calendar and this is really an emergency. It should be passed at the present session.

Mr. ARENTZ. If the gentleman will permit, the reason this bill was presented to the Indian Affairs Committee was to provide for reappraisal. Under the ruling of the attorneys of the Interior Department, it was specifically stated that the lands that had been sold had come back to the Federal Government and could not be sold again. This provides for a reappraisal.

Mr. STAFFORD. The report bears out my construction of the language. If the gentleman from Oklahoma is willing to agree to certain amendments, I will not press the objection. The first amendment is, in line 7, page 2, to strike out the committee amendment, "heretofore fixed by the Secretary of the Interior under the provisions of the act of Congress approved February 22, 1921 (41 Stat. 1107)" and insert in lieu thereof "at not less than the appraised value to be hereafter made."

Then the other suggested amendment is on page 3, line 5, strike out the words "has been heretofore or" and the word "hereafter" and substitute for the word "was," in line 7, the word "is," so that it will read "that where any tract of said coal and asphalt deposits may be offered for sale at two or more public auctions, after due advertisement and no sale thereof is made," and so forth.

Strike out the committee amendment in line 15 and insert in lieu thereof "as provided herein."

In line 7, page 4, strike out the clause "or shall pay."

Mr. HASTINGS. I have not been able to analyze the language, but I am willing that the amendments may be offered. If they only provide for reappraisal and resale, that is all right. That is the main purpose of the bill. We expect that to be done under the direction of the Secretary of the Interior. Do the amendments provide for that?

Mr. STAFFORD. The amendments I propose will reestablish this land in the same status it had when the land was formerly offered for sale.

Mr. HASTINGS. Very well, let the gentleman offer the amendments. If they only provide for reappraisal and resale, I have no objection.

Mr. STAFFORD. With that understanding, I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and belonging to said Indian nations, the sales to be made under such rules, regulations, terms, and conditions as the Secretary of the Interior may prescribe not inconsistent with this act.

SEC. 2. That said coal and asphalt deposits shall be offered for sale in tracts to conform to the descriptions of the legal subdivisions heretofore designated by the Secretary of the Interior, and except as otherwise herein provided the sales of the tracts shall be at public auction, after due advertisement, to the highest bidder at not less than the appraised value: *Provided, however,* That in the discretion of the Secretary of the Interior, the tracts may be offered together as a whole and sold to the highest bidder for the aggregate at not less than the total appraised value, or any two or more of the tracts may be offered together and sold to the highest bidder for the block at not less than the aggregate appraised value of the tracts constituting such block: *And provided further,* That no limitation shall be placed upon the number of tracts any person, company, or corporation may acquire hereunder.

With the following committee amendment:

Page 2, line 7, after the word "value," insert the words "heretofore fixed by the Secretary of the Interior under the provisions of the act of Congress approved February 22, 1921 (41 Stat. 1107)".

Mr. STAFFORD. Mr. Speaker, I offer an amendment for the first committee amendment, striking out the committee amendment in lines 7 to 9 and inserting in lieu thereof the words "to be hereinafter made."

Mr. HASTINGS. I think that is all right. I have no objection to that amendment.

The SPEAKER. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 7, strike out the committee amendment and insert, after the word "value," the words "to be hereinafter made."

The amendment was agreed to.

The committee amendment, as amended, was agreed to.

The Clerk read the second committee amendment:

Page 2, line 18, after the word "hereunder," insert: "*And provided further,* That in the event any sale of any tract or tracts of coal and asphalt deposits made hereunder or under the act of February 8, 1918 (40 Stat. L. 433), or under the act of February 22, 1921 (41 Stat. L. 1107), be canceled by the Secretary of the Interior and all rights of the purchaser at such sale be declared forfeited as to said tracts, such tracts may again be offered and sold by the Secretary of the Interior as provided herein until all such tracts finally shall have passed into private ownership."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. That where any tract of said coal and asphalt deposits has been heretofore or may be offered hereafter for sale at two or more public auctions after due advertisement and no sale thereof was made, the Secretary of the Interior may, in his discretion and under such rules and regulations and on such terms and conditions as he may prescribe, sell such tract at either public auction or by private sale at not less than the appraised value: *Provided, however,* That the Secretary of the Interior may, in cases where the tracts remain unsold and the facts are found to justify, cause reappraisements to be made of such tracts and reoffer and sell such tracts either at public auction or private sale, at not less than the reappraised value.

With the following committee amendment:

Page 3, line 5, after the word "been," insert the word "heretofore," and after the word "offered," insert the word "hereafter."

Mr. STAFFORD. Mr. Speaker, I offer a substitute for the committee amendment to strike out the words "has been heretofore or," and also strike out the word "hereafter," in the same line.

The SPEAKER. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 3, line 5, after the word "deposits" strike out the words "has been heretofore or," and the word "hereafter" in the same line.

The amendment was agreed to.

The committee amendment as amended was agreed to.
The Clerk read the second committee amendment:

Page 3, line 15, after the word "tracts" insert the words "either at public auction or private sale."

Mr. STAFFORD. Mr. Speaker, I offer an amendment striking out the words "either at public auction or private sale" and inserting in lieu thereof "as provided herein."

The SPEAKER. The gentleman from Wisconsin offers an amendment to the committee amendment which the Clerk will report.

The Clerk read as follows:

Amendment to the committee amendment by Mr. STAFFORD: Page 3, line 15, after the word "tracts" strike out the words "either at public auction or private sale," and insert in lieu thereof the words "as provided herein."

The amendment was agreed to.

The committee amendment, as amended, was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer an amendment. Page 3, line 7, strike out the word "was" and insert in lieu thereof the word "is."

The SPEAKER. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 3, line 7, strike out the word "was" and insert the word "is."

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. That when the full purchase price for any property sold hereunder is paid, the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation shall join in executing to the purchaser an appropriate patent conveying to the purchaser the property so sold, said patent to be subject to approval of the Secretary of the Interior.

SEC. 5. That in cases where tracts of the coal and asphalt deposits belonging to the Choctaw and Chickasaw Nations have been sold subsequent to June 30, 1925, and prior hereto, under and in accordance with, or purporting to be under and in accordance with the act of February 8, 1918 (40 Stat. L. 433), and the act of February 22, 1921 (41 Stat. L. 1107), and said sales have been approved by the Secretary of the Interior and the purchaser has paid or shall pay the full purchase price, the patents executed by the principal chief of the Choctaw Nation and governor of the Chickasaw Nation and approved by the Secretary of the Interior, conveying to the purchasers the tracts purchased and paid for by said purchasers, are hereby confirmed, approved, and declared valid.

Mr. STAFFORD. Mr. Speaker, I offer an amendment. Page 4, line 7, strike out the words "or shall pay."

The amendment was agreed to.

Mr. CARTWRIGHT. Mr. Speaker, I introduced this bill in the House, although it is not the bill that I have been advocating. It authorizes the Secretary of the Interior to offer this coal land for sale in whole or parts at public auction at two or more sales for not less than the appraisement fixed by the Secretary of the Interior under the provisions of the act of Congress, February 22, 1921, and any unsold tracts he may, at his discretion, "sell at either public or private sale at not less than the appraised value."

This bill does two things: First, in cases which are constantly arising where the coal is about worked out and an adjoining tract could be worked out through the old workings there would be a purchaser who could pay a fair price for this particular piece of coal. By such sales a considerable sum could be realized each year. Second, and the best part of it, is that it says, in substance, the way is open to find a purchaser for the whole deposit, while heretofore the Government and the Indians, under the law, could only sell it in parts.

With these two things in mind I introduced this bill. I realize, however, that coal can not compete with oil and gas for fuel, and I do not believe a purchaser can be found willing to purchase and hold this entire property, awaiting the termination of cheap oil and gas. Therefore the situation will be left largely in the same old condition, and I regret to say this is not a healthy situation for these lands to be in.

Mr. Speaker, this bill is all right so far as it goes, but it does not go far enough. I sincerely hope that by next session the Congress will see fit to go all the way and pass my other bill, H. R. 2901, which provides for the sale to the Government of these lands, the proceeds to be distributed in per capita payments. This is what I have been working for ever since I came to Congress, and will never give up my fight until it is passed, or I myself pass out. The Choctaws and Chickasaws have suffered great damage, and the businesslike and sensible thing, in my opinion, would be for the Federal Government to take over their coal lands as provided in my bill, H. R. 2901. From every angle I view the coal proposition, the Federal Gov-

ernment should be in a position to administer these deposits as coal lands already owned by the Government in the Western States are being administered.

The happy solution of the problem for the future, and to my mind the only practical way to settle it, would be for the Government to purchase these lands from the tribes at a fair and reasonable price and have it understood that a portion of the purchase price would be in settlement of this claim for loss due to shrinkage in value, which the Indian tribes would not have suffered had the Government lived up to its agreement to sell these lands, according to the supplemental agreement of 1902, and distribute the proceeds in per capita payments. Congress should have made some disposition of these lands long ago.

I am glad to say that some progress has been made toward the closing out of the tribal affairs, but to us who are really interested it seems mighty slow. The Choctaw and Chickasaw tribal coal property is valued at \$9,254,829. Before a final settlement can be made this property must be sold and the funds derived therefrom must be distributed per capita and the pending suits of said nations in the United States Court of Claims must be closed.

As I said in the beginning, the bill under consideration is not what I want, but it is about the best thing I can get, under the circumstances, at the present time.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AMENDING THE ACT AUTHORIZING THE SECRETARY OF THE INTERIOR TO CLASSIFY AND APPRAISE UNALLOTTED INDIAN LANDS

The next business on the Consent Calendar was the bill (H. R. 10425) to amend the act of June 6, 1912 (37 Stat. L. 125; U. S. C., title 25, sec. 425), entitled "An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands."

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of June 6, 1912, (37 Stat. L. 125; U. S. C., title 25, sec. 425), entitled "An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands," be, and is hereby, amended by adding the following:

"SEC. 2. That the Secretary of the Interior is hereby authorized to certify to the Secretary of the Treasury the difference between the amounts paid as purchase money and interest by entrymen of any Indian lands opened to settlement and entry and the purchase money and interest which should have been paid at the price fixed as result of reappraisal by the Secretary of the Interior, in all cases whether patents had or had not issued at the time of the reappraisal: *Provided*, The entryman or his legal representatives apply for reappraisal of the land or repayment of such amounts within two years from issuance of patent.

"SEC. 3. That in all cases where it shall appear to the satisfaction of the Secretary of the Interior that any person has heretofore or shall hereafter make any payments to the United States in connection with such entries, or purchases, of Indian lands in excess of the amount he was lawfully required to pay, such excess shall be repaid to such person or to his legal representatives: *Provided*, That the entryman or his legal representatives apply for repayment of such amounts within two years from issuance of patent.

"SEC. 4. That when the Commissioner of the General Land Office shall ascertain the amount due in any case where repayment is authorized by this statute, the Secretary of the Interior shall certify such amounts to the Secretary of the Treasury, who is hereby authorized and directed to make payment of such amounts so certified out of the funds held in trust for the particular Indian tribe affected."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

ADDITION OF CERTAIN LANDS TO ROCKY MOUNTAIN NATIONAL PARK, COLO.

The next business on the Consent Calendar was the bill (H. R. 11784) to provide for the addition of certain lands to the Rocky Mountain National Park, in the State of Colorado.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States is hereby authorized, upon the joint recommendation of the Secretaries of the Interior and of Agriculture, to add to the Rocky Mountain National Park, in the State of Colorado, by Executive proclamation any or all of the following-described lands, to wit:

Sections 5 and 6, township 3 north, range 75 west.

All of section 3 except the northeast quarter northeast quarter; all of section 4; north half, north half southeast quarter, southwest quarter southeast quarter section 5; north half, northwest quarter southwest quarter section 9; north half, northeast quarter southwest quarter, southeast quarter section 10; northeast quarter, north half southeast quarter section 15, in township 4 north, range 73 west.

North half, southwest quarter, northwest quarter southeast quarter section 17; south half southwest quarter, southwest quarter southeast quarter section 21; south half northeast quarter, southeast quarter northwest quarter, south half section 28; all of section 29 except northeast quarter northeast quarter; east half section 32; all of section 33; southwest quarter northeast quarter, northwest quarter northwest quarter, south half northwest quarter, southwest quarter, west half southeast quarter, southeast quarter southeast quarter section 34, in township 5 north, range 73 west.

All of sections 6, 7, and 18; that portion of section 19 lying outside of park boundary, in township 5 north, range 75 west.

All of sections 1, 2, 11, 12, 13, 14, and 24; those portions of sections 3, 10, and 15 lying east of the Continental Divide; those portions of sections 15, 22, and 23 lying on the eastern slopes of Mount Nimbus and Baker Mountain, in township 5 north, range 76 west.

All of sections 19, 30, and 31; that portion of section 20 lying outside of the park boundary and south of the boundary line between Larimer and Grand Counties; that part of section 18 lying south of the boundary line between Larimer and Grand Counties and the Continental Divide, in township 6 north, range 75 west.

All of sections 25, 26, 35, and 36; those portions of sections 13, 22, 23, 24, 27, and 34 lying east of the Continental Divide, in township 6 north, range 76 west; and all the lands added to said park pursuant hereto shall be, and are hereby, made subject to all laws, rules, and regulations applicable to and in force in the Rocky Mountain National Park.

SEC. 2. That nothing herein contained shall affect any valid existing claim, location, or entry under the land laws of the United States, whether for homestead, mineral, rights of way, or any other purposes whatsoever, or any water rights and rights of way connected therewith, including existing conduits and ditches, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land.

With the following committee amendments:

Page 1, line 4, after the word "upon," insert the following: "the recommendation of the Secretary of the Interior, and with respect to lands located in a national forest upon."

Page 2, line 8, strike out the number "21" and substitute the number "20" in lieu thereof.

Page 2, line 19, after the number "14" and before the word "and," insert the number "23."

Page 2, line 20, after the number "3" and before the number "10," insert the word "and," and strike out the word and number "and 15" after the number "10."

Page 2, lines 21 and 22, strike out entire lines and substitute in lieu thereof the following: "Divide; that portion of section 15 lying east of the Continental Divide and on the eastern slope of Mount Nimbus; and that portion of section 22 lying on the eastern slope of Baker Mountain."

Page 3, line 2, strike out the word "section" and insert "sections 17 and."

Page 3, line 3, after the word "Divide," insert the following: "and that part of section 29 lying outside the park boundary."

Page 3, line 12, strike out all of section 2 and insert in lieu thereof the following:

"SEC. 2. That nothing herein contained shall affect any vested and accrued rights of ownership of lands or any valid existing claim, location, or entry existing under the land laws of the United States at the date of passage of this act, whether for homestead, mineral, rights of way, or other other purposes whatsoever, or any water rights and/or rights of way connected therewith, including reservoirs, conduits, and ditches, as may be recognized by local customs, laws, and decisions of courts, or shall affect the right of any such owner, claimant, locator, or entryman to the full use and enjoyment of his land."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to return to the bill (S. 4269) authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary line streams of Kentucky.

I understand the gentleman from Wisconsin has withdrawn his objection.

Mr. SCHAFER of Wisconsin. With the understanding that the gentleman will not make a motion to reconsider so that I

can interview my colleagues whom I am attempting to protect while they were busy at other work.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the Postal Service, and more adequately provide for military and other purposes the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, be, and it hereby is, authorized to construct, maintain, and operate any or all of the following bridges and approaches thereto, at points suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and acts amendatory and supplemental thereto, and subject to the conditions and limitations contained in this act:

A bridge across the Ohio River at or near Maysville; a bridge across the Ohio River at or near Ashland; a bridge across the Ohio River at or near Carrollton; a bridge across the Tennessee River at or near Eggners Ferry; a bridge across the Tennessee River near Paducah; a bridge across the South Fork of the Cumberland River at or near Burnside; a bridge across the North Fork of the Cumberland River at or near Burnside; a bridge across Cumberland River at or near Smithland; a bridge across Cumberland River at or near Canton; a bridge across Cumberland River at or near Burkesville; a bridge across the Kentucky River at or near Tyrone; a bridge across the Kentucky River at or near High Bridge; a bridge across the Kentucky River at or near Boonesboro; a bridge across the Kentucky River at or near Gratz; a bridge across the Green River at or near Brownsville; a bridge across the Green River at or near Rockport; a bridge across the Green River at or near Morgantown; and a bridge across Green River at or near Spottsville.

Said Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, is hereby authorized to acquire any or all of the following bridges and approaches thereto and thereafter to maintain and operate same as toll bridges:

A bridge across the Ohio River at or near Milton; a bridge across the Ohio River at or near Paducah; a bridge across the Kentucky River at or near Carrollton; and a bridge across Green River at or near Calhoun.

SEC. 2. There is hereby conferred upon the Commonwealth of Kentucky and the State Highway Commission of Kentucky, or the successors of said commission, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, and/or operation of any and/or all such bridges and their approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

SEC. 3. The Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, is hereby authorized to fix and charge tolls for transit over any and/or all such bridges, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. The Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or its successors, may unite or group all or such of said bridges into one or more separate projects for financing purposes, as in its or their judgment shall be deemed practicable to so unite or group. If tolls are charged for the use of a bridge or bridges in a project, the rates of toll to be charged for the use of such bridge or bridges embraced in the particular project shall be so adjusted as to provide a fund not to exceed an amount sufficient to pay the reasonable costs of maintaining, repairing, and operating the bridge or all of the bridges included in the particular project and their approaches under economical management, and not to exceed an amount sufficient, in addition to the foregoing, to provide a sinking fund sufficient to amortize the aggregate cost of the bridge or all of the bridges embraced in the particular project, and their approaches, including reasonable interests and financing costs, as soon as possible under reasonable charges, but within a period not exceeding 20 years from the date of approval of this act. The tolls derived from the bridge or bridges embraced in any particular project may be continued and paid into the appropriate sinking fund until all such costs of the bridges embraced in the particular project shall have been amortized. In any event tolls shall be charged on the basis aforesaid for transit over the bridge or bridges in each project for which revenue bonds of said Commonwealth are issued, and such tolls shall be continued and adjusted at such rates as may be necessary to pay such bonds with interest thereon and any lawful premium for the retirement thereof before maturity, subject only to the power of the Secretary of War or other authorized Federal authority to regulate such rates.

If the State Highway Commission of Kentucky, or its successors, shall in the exercise of its or their judgment deem it inexpedient or impracticable to construct or acquire any one or more of such bridges, or to unite or group any one or more with another or others for financing purposes, then the failure of the Commonwealth of Kentucky, acting by and through the State Highway Commission of Kentucky, or its successors, to construct or acquire any one or more of such bridges, or failure to unite or group any one or more with another or others for financing purposes, shall in no wise affect its authority or powers granted by this act as to such bridge or bridges or the remainder of such bridges which it may so construct, acquire, unite, or group, and operate.

After a sinking fund sufficient to amortize the cost of the bridge or bridges in any particular project shall have been provided to the extent hereinabove required, the bridge or bridges included in such project shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of such bridge or bridges embraced in the particular project and their approaches under economical management. An accurate record of the cost of the bridge or bridges in a project and their approaches, the expenditures for maintaining, repairing, and operating same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested. Tolls shall be uniform as between individuals and as between vehicles of the same class using any one of the bridges, but different rates of toll may be charged for the use of different bridges.

SEC. 5. The authority and powers conferred by this act are supplementary and additional to all other authority and powers heretofore granted by law in relation to such bridges and tolls for transit thereover, and such authority or powers as to any one or more of such bridges may be exercised either under the authority and provisions of this act or under the authority and provisions of any other law relating thereto; and nothing in this act shall be construed as requiring tolls to be charged for the use of any one or more of such bridges, except as hereinabove provided, and nothing herein shall be construed to prohibit the Commonwealth of Kentucky, acting by and through the State Highway Commission of Kentucky, or its successors, from paying all or any part of the cost of any one or more of such bridges and their approaches from the State road fund, or from paying all or any part of the cost of maintenance, repair, or operation of any one or more of such bridges from the State road fund of the Commonwealth of Kentucky.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 9, after the word "Ashland," insert "a bridge across the Ohio River at or near a point opposite Cairo, Ill."

Page 4, line 11, after the word "bridges," insert "excepting and excluding interstate bridges."

Page 6, line 8, after the word "tolls," strike out the words "or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of such bridge or bridges embraced in the particular projects and their approaches under economical management."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

NATURALIZATION OF CERTAIN ALIENS

Mr. BOX. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 5627) relating to the naturalization of certain aliens. I want to make a statement. This is really a special bill for the relief of one man regarding his withdrawal of his declaration of citizenship. I want to state that the case as first presented to me seemed to me one which should not pass. The man was no slacker. He was found physically unfit for military duty, but sought and found special service with the Military Establishment until after the armistice. I will not take the time of the whole committee to state how I reached the conclusion that the relief ought to be granted. I say that for the benefit of the gentleman who had some doubts as to that.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any provision of law to the contrary, no alien shall be debarred from becoming a citizen of the United States on the ground that he withdrew his intention to become a citizen of the United States in order to secure discharge from the military service, if such discharge took place after November 11, 1918.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

LEAVE OF ABSENCE

Mr. WALKER, by unanimous consent, was given leave of absence, indefinitely, after Thursday, June 12, 1930, on account of important business.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill and joint resolution of the following titles, which were thereupon signed by the Speaker:

H. R. 6130. An act to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes; and

H. J. Res. 181. Joint resolution to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2836. An act to admit to the United States Chinese wives of certain American citizens;

S. 4085. An act to authorize the use of a right of way by the United States Indian Service through the Casa Grande Ruins National Monument in connection with the San Carlos irrigation project;

S. 4169. An act to add certain lands to the Zion National Park in the State of Utah, and for other purposes;

S. 4170. An act to provide for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes;

S. 4203. An act to amend the act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes; and

S. 4318. An act to amend the act entitled "An act to permit taxation of lands of homestead and desert-land entrymen under the reclamation act," approved April 21, 1928, so as to include ceded lands under Indian irrigation projects.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a joint resolution and bill of the House of the following titles:

H. J. Res. 181. Joint resolution to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920, as amended January 21, 1922, and as extended December 28, 1922; and

H. R. 6130. An act to exempt the Custer National Forest from the operation of the forest homestead law, and for other purposes.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 52 minutes p. m.) the House adjourned until to-morrow, Wednesday, June 11, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, June 11, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON THE JUDICIARY

(10 a. m.)

To consider several bills relating to unemployment.

COMMITTEE ON INDIAN AFFAIRS

(9.30 a. m.)

Providing for the final enrollment of the Indians of the Klamath Indian Reservation in the State of Oregon (S. 3156).

COMMITTEE ON FLOOD CONTROL

(10.30 a. m.)

To amend an act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes," approved May 15, 1928 (H. R. 12101).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

Authorizing the Secretary of the Navy to accept, without cost to the Government of the United States, a lighter-than-air base

near Sunnyvale, in the county of Santa Clara, State of California, and construct necessary improvements thereon (H. R. 6810).

Authorizing the Secretary of the Navy to accept a free site for a lighter-than-air base at Camp Kearney, near San Diego, Calif. and construct necessary improvements thereon (H. R. 6808).

COMMITTEE ON BANKING AND CURRENCY
(10.30 a. m.)

To authorize the Committee on Banking and Currency to investigate chain and branch banking (H. Res. 141).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

538. A communication from the President of the United States, transmitting supplemental estimate of appropriations for the Federal Board for Vocational Education for the fiscal year 1931, in the sum of \$980,000 (H. Doc. No. 461); to the Committee on Appropriations and ordered to be printed.

539. A letter from the Secretary of War, transmitting report from the Chief of Engineers on the St. Croix River, Wis. and Minn., covering navigation, flood control, power development, and irrigation (H. Doc. No. 462); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

540. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on Patuxent River, Md. (H. Doc. No. 463); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

541. A letter from the Secretary of War, transmitting report from the Chief of Engineers, United States Army, on preliminary examination of Mud Creek, Ky., with a view to the control of its floods (H. Doc. No. 464); to the Committee on Flood Control and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 12614. A bill granting the consent of Congress to the city of Aurora, Ill., to construct, maintain, and operate a free highway bridge from Stolps Island in the Fox River at Aurora, Ill., to connect with the existing highway bridge across the Fox River north of Stolps Island; without amendment (Rept. No. 1845). Referred to the House Calendar.

Mr. COOPER of Wisconsin: Committee on Foreign Affairs. H. J. Res. 321. A joint resolution to authorize an appropriation of \$4,500 for the expenses of participation by the United States in an International Conference on the Unification of Buoyage and Lighting of Coasts, Lisbon, 1930; without amendment (Rept. No. 1846). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANSLEY: Committee on Military Affairs. H. R. 12807. A bill to authorize appropriations for construction at military posts, and for other purposes; without amendment (Rept. No. 1852). Referred to the Committee of the Whole House on the state of the Union.

Mr. BOWMAN: Committee on the District of Columbia. H. R. 9408. A bill to amend the act of March 3, 1917, an act making appropriations for the general expenses of the District of Columbia; with amendment (Rept. No. 1853). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLEOD: Committee on the District of Columbia. S. 4358. An act to authorize transfer of funds from the general revenues of the District of Columbia to the revenues of the water department of said District, and to provide for transfer of jurisdiction over certain property to the Director of Public Buildings and Public Parks; without amendment (Rept. No. 1854). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 386. A bill for the relief of William Sulem; with amendment (Rept. No. 1835). Referred to the Committee of the Whole House.

Mr. SIMMS: Committee on Claims. H. R. 785. A bill for the relief of Francis A. Grennen; with amendment (Rept. No. 1836). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 2628. A bill to authorize an appropriation for the relief of I. L. Lyons & Co.; with amendment (Rept. No. 1837). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 5745. A bill for the relief of Herbert J. Weyant; without amendment (Rept. No. 1838). Referred to the Committee of the Whole House.

Mr. CLARK of North Carolina: Committee on Claims. H. R. 6517. A bill for the relief of Irene Brand Alper; with amendment (Rept. No. 1839). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 7798. A bill for the relief of Mrs. Lawrence Chlebek; without amendment (Rept. No. 1840). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 8585. A bill for the relief of Maj. Thomas J. Berry; without amendment (Rept. No. 1841). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 8991. A bill for the relief of Charles E. Reyburn; without amendment (Rept. No. 1842). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 10888. A bill for the relief of Margaret V. Pearson; without amendment (Rept. No. 1843). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 11189. A bill for the relief of Fritz Zoller; with amendment (Rept. No. 1844). Referred to the Committee of the Whole House.

Mr. ROWBOTTOM: Committee on Claims. S. 2811. An act for the relief of Oscar R. Hahnel; with amendment (Rept. No. 1847). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 778. A bill for the relief of Jeannette Weir; with amendment (Rept. No. 1848). Referred to the Committee of the Whole House.

Mr. SCHAFER of Wisconsin: Committee on Claims. H. R. 3174. A bill for the relief of Henry W. Sublet; with amendment (Rept. No. 1849). Referred to the Committee of the Whole House.

Mr. DOXEY: Committee on Claims. H. R. 7909. A bill for the relief of Judd W. Hulbert; with amendment (Rept. No. 1850). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 4536. A bill for the relief of John S. Stotts, deceased; without amendment (Rept. No. 1851). Referred to the Committee of the Whole House.

Mr. FITZGERALD: Committee on Claims. H. R. 9875. A bill for the relief of Capt. Guy L. Hartman; with amendment (Rept. No. 1855). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CRAMTON: A bill (H. R. 12870) to authorize the sale of all of the right, title, interest, and estate of the United States of America in and to certain lands in the State of Michigan; to the Committee on Military Affairs.

By Mr. LEAVITT: A bill (H. R. 12871) providing for the sale of isolated tracts in the former Crow Indian Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. MOUSER: A bill (H. R. 12872) granting increase of pension to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes; to the Committee on Pensions.

By Mr. TEMPLE: A bill (H. R. 12873) authorizing an appropriation for the payment of claims arising out of the occupation of Vera Cruz, Mexico, by American forces in 1914; to the Committee on Foreign Affairs.

By Mr. McREYNOLDS: A bill (H. R. 12874) making an appropriation to provide for the resurfacing of a road in the Chickamauga-Chattanooga National Military Park; to the Committee on Appropriations.

By Mr. MOUSER: A bill (H. R. 12875) granting pensions and increase of pension to widows, minor children, and helpless children of soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes; to the Committee on Pensions.

By Mrs. ROGERS: A bill (H. R. 12876) to provide for blue dress uniforms for enlisted men of the Regular Army; to the Committee on Military Affairs.

By Mr. SPROUL of Kansas: Resolution (H. Res. 242) requesting the Federal Trade Commission to investigate gain and loss effects of big business mergers, chain stockholding company

business operation, and to report findings to Speaker; to the Committee on Interstate and Foreign Commerce.

By Mr. LAGUARDIA: Joint resolution (H. J. Res. 360) providing for a national conference on uniform State labor and welfare laws; to the Committee on the Judiciary.

By Mr. O'CONNOR of Louisiana: Joint resolution (H. J. Res. 361) authorizing the Secretary of War to lease to the New Orleans International Trade Exhibition New Orleans Quarter-master Intermediate Depot Unit No. 2; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 12877) granting an increase of pension to Adelia A. Masters; to the Committee on Invalid Pensions.

By Mr. BEERS: A bill (H. R. 12878) granting an increase of pension to Martha E. Aughinbaugh; to the Committee on Invalid Pensions.

By Mr. BLACK: A bill (H. R. 12879) for the relief of John J. Kennelly; to the Committee on Claims.

By Mr. COCHRAN of Missouri: A bill (H. R. 12880) for the relief of Frederick V. Armistead; to the Committee on Military Affairs.

Also, a bill (H. R. 12881) granting a pension to Viny Carey; to the Committee on Invalid Pensions.

By Mr. EDWARDS: A bill (H. R. 12882) granting a pension to Willie D. Harrelson; to the Committee on Pensions.

By Mr. EVANS of California: A bill (H. R. 12883) for the relief of Seymour H. Dotson, otherwise known as William Dodson; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 12884) granting an increase of pension to Rhoda Button; to the Committee on Invalid Pensions.

By Mr. HALL of North Dakota: A bill (H. R. 12885) granting an increase of pension to Mary E. Folsom; to the Committee on Pensions.

By Mr. JOHNSON of Illinois: A bill (H. R. 12886) granting an increase of pension to Emma Huston; to the Committee on Invalid Pensions.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 12887) granting an increase of pension to Sarah C. Pile; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12888) granting an increase of pension to Mary Jane Mimmy; to the Committee on Invalid Pensions.

By Mr. LANKFORD of Virginia: A bill (H. R. 12889) for the relief of officers and enlisted men of the First Virginia Ambulance Company, later One hundred and fifteenth Ambulance Company, One hundred and fourth Sanitary Train; to the Committee on Military Affairs.

By Mr. MANLOVE: A bill (H. R. 12890) granting a pension to Rosa E. Myers; to the Committee on Invalid Pensions.

By Mr. PRITCHARD: A bill (H. R. 12891) granting a pension to Mary West; to the Committee on Pensions.

By Mr. STALKER: A bill (H. R. 12892) granting an increase of pension to Betsy A. Waight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12893) granting an increase of pension to Sarah E. Swan; to the Committee on Invalid Pensions.

By Mr. SIROVICH: A bill (H. R. 12894) extending the benefits of the emergency officers' retirement act to Wolcott LeClear Beard; to the Committee on World War Veterans' Legislation.

By Mr. TARVER: A bill (H. R. 12895) granting a retirement annuity to W. A. Cody; to the Committee on the Civil Service.

By Mr. TILSON: A bill (H. R. 12896) granting an increase of pension to Katie J. Jerolmon; to the Committee on Invalid Pensions.

By Mr. WELSH of Pennsylvania: A bill (H. R. 12897) granting a pension to Esther Simpson Bingham; to the Committee on Pensions.

By Mr. WIGGLESWORTH: A bill (H. R. 12898) to extend the benefits of the employees' compensation act of September 7, 1916, to Carl G. Lindstrom, a former employee at the Watertown Arsenal, Watertown, Mass.; to the Committee on Claims.

By Mr. WYANT: A bill (H. R. 12899) granting an increase of pension to Mary A. Steiner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12900) granting an increase of pension to Mary E. Klingensmith; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7518. By Mr. ALDRICH: Petition of Providence Fraternal Association of Providence, R. I., opposing the enactment of legislation designed to create either a voluntary or compulsory system of alien registration; to the Committee on Immigration and Naturalization.

7519. By Mr. CAMPBELL of Iowa: Petition of the Woman's Christian Temperance Union, of Merrill, Iowa, urging that Congress enact a law for the Federal supervision of motion pictures establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7520. By Mr. GLOVER: Petition of American Train Dispatchers' Association, urging the passage of Senate Joint Resolution 161; to the Committee on Interstate and Foreign Commerce.

7521. By Mr. LUCE: Petition of employees of the Boston regional office of the Veterans' Bureau, favoring passage at the present session of the bill relating to a 44-hour week for Government employees; to the Committee on the Civil Service.

7522. By Mr. HARCOURT J. PRATT: Petition of president and secretary of Woman's Christian Temperance Union, of Middleburgh, Schoharie County, N. Y., praying for enactment of laws to provide Federal supervision of motion-picture production; to the Committee on Interstate and Foreign Commerce.

7523. By Mr. RAMSEYER: Petition of Woman's Christian Temperance Union, of Lynnville, Iowa, requesting the enactment of a law for the Federal supervision of motion pictures establishing higher standards for production of films to be licensed for interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

7524. By Mr. STONE: Petition of Finor H. Works, Wynne-wood, Okla., urging the date to be extended to 1930 in the Rankin bill; to the Committee on World War Veterans' Legislation.

7525. Also, petition of John P. Tyon, of Davidson, Okla., urging the date to be extended to 1930 in the Rankin bill; to the Committee on World War Veterans' Legislation.

7526. By Mr. YATES: Petition of D. J. O'Connell, corresponding secretary International Union of Journeymen Horseshoers, 3917 Flourney Street, Chicago, Ill., urging the passage of the 44-hour bill for Federal employees; to the Committee on the Civil Service.

7527. Also, petition of George W. Overton, president of the Reuben H. Donnalley Corporation, 320 East Twenty-first Street, Chicago, Ill., protesting the passage of House bill 11096, and states in his opinion it will decrease rather than increase revenue; to the Committee on the Post Office and Post Roads.

7528. Also, petition of E. M. Pettinger, general manager Direct Mail Advertising Co., 431 South Dearborn Street, Chicago, protesting the passage of House bill 11096; to the Committee on the Post Office and Post Roads.

7529. Also, petition of Jessie M. Kehoe, 327 South La Salle Street, Chicago, protesting the passage of House bill 11096, and stating that if passed it would decrease rather than increase revenue; to the Committee on the Post Office and Post Roads.

SENATE

WEDNESDAY, June 11, 1930

(Legislative day of Monday, June 9, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Capper	Gillett	Hebert
Ashurst	Caraway	Glass	Heflin
Baird	Connally	Glenn	Howell
Barkley	Copeland	Goldsborough	Johnson
Bingham	Couzens	Greene	Jones
Black	Cutting	Grundy	Kean
Blaine	Dale	Hale	Kendrick
Borah	Deneen	Harris	Keyes
Bratton	Dill	Harrison	La Follette
Brock	Fess	Hatfield	McCulloch
Brookhart	Frazier	Hawes	McKellar
Broussard	George	Hayden	McMaster